

**DCTA ACCESS
POLICIES & PROCEDURES GUIDELINES**

Date: 3/5/2024

Introduction and Purpose

This ADA policy is written to establish operating and service guidelines and procedures for the implementation of the requirements of the Americans with Disabilities Act of 1990 (ADA), the U.S. Department of Transportation (U.S. DOT) regulations for implementing ADA (49 CFR Parts 27, 37 and 38), and applicable state laws and regulations. Denton County Transportation Authority (DCTA) operates services on a fixed route basis. DCTA complies with all ADA requirements with respect to such services.

Policy Statement

It is the policy of DCTA to comply with all the legal requirements of federal and state laws and regulations as they pertain to individuals with disabilities. If state laws and federal regulations are contradictory, the federal ADA regulations prevail. 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. Ensure that eligible individuals who are unable to board, ride or disembark from the fixed route service are provided complementary paratransit with comparable service availability and quality to the fixed route service.
3. Expedite the safe and efficient boarding, securing, transporting, and alighting of all passengers, regardless of mobility status.
4. 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.

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 requirements of the State of Texas. If state requirements do not meet federal requirements, the federal ADA regulations prevail. All vehicles purchased for fixed routes and paratransit service will be wheelchair 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. The transit system will conduct an analysis of service equivalency prior to the acquisition of any inaccessible vehicles for demand-responsive service.

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 paratransit will be wheelchair accessible.

In addition to fixed routes, DCTA also operates the ACCESS paratransit service. To the extent that inaccessible vehicles comprise any proportion of the fleet, the transit system will ensure that equivalent service is provided to individuals with disabilities, including wheelchair users, that is consistent with U.S. DOT ADA regulations under 49 CFR Part 37, Section 37.77. This transportation will be provided in the most integrated setting appropriate to the needs of the individual and will be equivalent to the service provided other individuals with respect to:

- Response time
- Fares
- Geographic area of service
- Hours and days of service
- Restrictions or priorities based on trip purpose
- Availability of information and reservations capability

- Any constraints on capacity or availability

Maintenance of Accessible Features: Accessibility features on vehicles, including lifts, ramps, wheelchair securement devices and public address systems, will be maintained in operative condition. The preventive maintenance program of DCTA 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 or ramp failures immediately. Vehicles with inoperative lifts or ramps will be removed from service and replaced with an accessible vehicle until the inoperative lift or ramp is repaired. Additional fixed route policies related to inoperative lifts or ramps are discussed under “Policies Specific to Fixed Route Service.”

Wheelchair Accommodation: All accessible vehicles meet or exceed the requirements of 49 CFR Part 38. 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 in the securement area for the wheelchair on the vehicle without blocking the aisle. If a vehicle lift/ramp and securement area can accommodate a wheelchair (or other mobility device), DCTA will transport the device (and its user).

An individual who uses a wheelchair that, when occupied, exceeds the weight rating of the vehicle lift/ramp, will be offered the opportunity to board and disembark from the vehicle separately from the wheelchair. However, transit agency personnel are not (required **OR** permitted) to operate a passenger’s wheelchair. The individual may travel with a Personal Care Attendant (PCA) who can assist with operating the unoccupied wheelchair to maneuver it on and off the lift/ramp.

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 and waiting for passengers to be seated before moving the vehicle. Only a properly trained transit system employee can operate the lift or ramp and secure the wheelchair in the securement station. Passengers may only board facing forward with the vehicle.

Priority Seating: With the exception of the wheelchair securement stations, the transit system does not require any passenger to sit in designated seating.

Priority seating for seniors and individuals with disabilities is to be designated by permanent signage in each vehicle. In cases where an individual with a disability requests the use of priority seating that is currently occupied by another passenger, the driver will ask that passenger to move so as to allow the individual with a disability to use the priority seating. In cases where a wheelchair user requires the use of a securement location, the driver will ask any passenger (including other passengers with disabilities) to vacate the securement location.

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 system. Drivers will use accessibility-related equipment and features on their vehicles as described in these policies.

Wheelchair Securement:

DCTA requires that all wheelchairs be secured. Drivers should not allow a passenger to ride if they are not secured properly unless the securement system will not accommodate the wheelchair. Drivers cannot deny a passenger a ride based on the inability to secure the 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.

Securement of wheelchairs is the responsibility of the driver. Drivers are trained in the proper operation of all securement equipment based on the equipment manufacturer's specifications. Drivers will listen to and respect riders' instructions on how to secure their equipment. Drivers cannot be expected to be familiar with each wheelchair type that may come aboard, and securement attachment points may differ by wheelchair manufacturer. The rider may be in the best position to instruct the driver on how to properly secure their mobility device.

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 in the vehicle.

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. The wheelchair is not allowed to block the aisle.

Seat belts and shoulder harnesses are required for ALL passengers. Seat belts will never be used instead of independent securement of the passenger's wheelchair.

In cases where an individual using a wheelchair attempts to board and requires use of a securement location that is currently occupied by another passenger that is not using a wheelchair, the driver will ask that passenger to allow the individual using a wheelchair to use the securement position.

Use of Lift or Ramp by Individuals with Disabilities Not Using a Mobility Device: The driver will deploy the lift or ramp for an individual with a disability who is not using a mobility device to board or alight the vehicle upon request.

Accommodation of Other Mobility Devices: Mobility devices that are not wheelchairs, but which are primarily designed to for use by individuals with mobility impairments, will be accommodated to the extent that the ADA-compliant lift or ramp 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 wheelchairs have an option of transferring to fixed seating once on board the vehicles. Drivers may recommend, but never require, wheelchairs users to transfer to fixed seating. No waivers are allowed to be required.

Accommodation of Portable Oxygen: Individuals are allowed to travel with respirators and portable oxygen supplies on board, consistent with applicable U.S. DOT rules on the transportation of hazardous materials in 49 CFR Subtitle B, Chapter 1, Subchapter C.

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 direct threat to the health or safety of 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. The driver will allow a passenger who uses the lift or ramp to alight unless the lift or ramp cannot be deployed, will be damaged if deployed, or conditions at the stop would present unsafe conditions for all passengers. Only the driver will unsecure the wheelchair and operate the lift or ramp 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 and respectfully 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 General Manager responsible for coordinating the transit agency's compliance with 49 CFR Part 37) and promptly and objectively investigated. DCTA will promptly communicate its response to the complaint allegations, including its reasons for the response, to the complainant. The response will be documented. Corrective or disciplinary action will be taken for behavior prohibited by this policy, up to and including termination of employment. Documentation of each complaint will be kept on file for five years. Passengers can submit complaints by calling the customer service phone number (940) 243-0077 or submit the complaint online at www.dcta.net/gorequest.

Reasonable Modification of Policy: If a passenger with a disability requires modification of any of DCTA's policies and practices to accommodate their disability to use the service, the passenger may request such a modification by contacting the Mobility Assistant (jnoland@DCTA.com) to which requests for modification of policy should be directed to the Mobility Assistant. The transit system will work with the individual to find an acceptable accommodation solution.

Where a request for modification cannot practically be made and determined in advance operating personnel will make a determination of whether the modification should be provided at the time of the request. Operating personnel may consult with DCTA management before making a determination to grant or deny the request.

Requests for modification of policies and practices may be denied only on one or more of the following grounds:

- Granting the request would fundamentally alter the nature of DCTA's services, programs, or activities;
- Granting the request would create a direct threat to the health or safety of others;
- Without the requested modification, the individual with a disability is able to fully use DCTA's services, programs, or activities for their intended purpose.

In any case in which DCTA receives a request for a reasonable modification, the agency shall take to the maximum extent possible, other actions (that would not result in a direct threat or fundamental alteration of service) to ensure that the individual with a disability receives the services or benefit provided by DCTA.

Guidelines and Procedures for Implementing Policy Specific to Fixed Route Services

Inoperative Lifts and Ramps: Vehicles with inoperative lifts must be taken out of fixed route service as soon as possible (no later than the beginning of the vehicle's next service day) and inoperative equipment will be replaced promptly with an accessible spare vehicle. The inoperative lift will be repaired before the vehicle returns to service. For vehicles equipped with ramps, it may be possible to continue in service as long as the ramp can be and is deployed manually when necessary. If an inoperative ramp cannot be (or is not) deployed manually, the transit agency will apply the policy for a vehicle with an inoperative lift.

If there is no accessible spare vehicle available to take the place of a vehicle with an inoperable lift/ramp on a route, the vehicle with the inoperable lift/ramp may be kept in service for no more than 3 days. In such cases alternative transportation will be provided to individuals with disabilities who are unable to use the vehicle because its lift/ramp does not work.

ADA Complementary Paratransit: Individuals who are unable to use the fixed route service because of a disability will be provided with complementary paratransit service that is comparable to the fixed route service in terms of service availability and quality. The policies for ADA Complementary Paratransit are provided in the next section.

Guidelines and Procedures for Implementing Policy Specific to ADA Complementary Paratransit Services

Access (ADA) Service Eligibility: DCTA provides ADA complementary paratransit services for individuals whose disabilities prevent them from independently using the fixed route system. This is demand response service that is equivalent to the fixed route service in terms of service characteristics as described under 49 CFR Part 37, Subpart F.

Access (Non-ADA) Service Eligibility: Individuals certified for ADA Paratransit service are automatically eligible to schedule *Access* (Non-ADA) trips. Non-ADA trips are those that either begin or end outside the ADA service area subject to service area boundaries.

Access (Non-ADA) trips must begin and end within the Lewisville/ Highland Village Zone or the Denton Zone. Trips will not be available between the two zones. DCTA applies Federal Transit Administration “Half Fare” regulations to determine eligibility for *Access* (Non-ADA) service. *Access* (Non-ADA) trips are provided only to the extent that there is excess capacity on the system. However, DCTA is committed to providing service to all our *Access* customers as provided for in the Service Plan.

Eligibility Determination Process: To be eligible to use the ADA complementary paratransit service, applicants must complete an ADA complementary paratransit eligibility determination process. Eligible individuals will receive documentation of ADA complementary paratransit eligibility, which can be used in other areas.

Eligibility Criteria: The certification process strictly limits ADA complementary paratransit eligibility to the regulatory definition of eligibility. Only those persons who meet the regulatory definition will be given documentation indicating that they are “ADA Paratransit Eligible.” A person will be considered eligible for ADA complementary paratransit if:

- The individual is unable, as the result of a physical or mental impairment (including a vision impairment), and without assistance of another individual (except the operator of a wheelchair lift/ramp or other boarding assistance device), to board, ride, or disembark from any vehicle on the system which is readily accessible to and usable by individuals with disabilities.
- The individual with a disability is capable of using the system with the assistance of a wheelchair lift/ramp but the route they want to use is not sufficiently ADA accessible for the individual to use it.
- The individual with a disability has a specific impairment-related condition, which prevents such individual from traveling to a fixed route boarding location or from a disembarking location.

In addition, if individuals who are determined to be ADA complementary paratransit eligible can use fixed route service under certain conditions (for example, trips for which they have been trained to navigate or under variable conditions that affect an individual's disability), the eligibility will be considered "Conditional" and documentation which they are given will indicate the limitations/condition of their eligibility.

To be eligible for *Access* (Non-ADA) trips, individuals must be one of the following:

- Age 65 or older;
- A person "who by reason of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including any individual who is a wheelchair user or has semi ambulatory capabilities), cannot use effectively, without special facilities, planning, or design, mass transportation service or a mass transportation facility;"
- Medicare cardholder—Anyone in possession of a Medicare card is eligible for *Access* (Non-ADA) trips.
- ***ADA Complementary Paratransit Service for Visitors:*** ADA complementary paratransit eligible individuals visiting from other localities outside of the system's service area will also be served when eligible trips are requested. The visiting individual's local certification will be honored by DCTA. If a visitor does not have ADA complementary paratransit certification from another jurisdiction, but makes a claim of eligibility, that claim will be honored as required by the ADA. However, in such cases, DCTA reserves the right to require proof that the individual is not a local resident, and if the individual has a disability which is not apparent. Service to visitors is limited to 21 days during any 365-day period beginning with the visitor's first use of the service during that period. Visitors who anticipate requiring service for more than 21 days in a 365-day period must apply for eligibility.
- **Temporary eligibility:** A person with a temporary disability will be eligible for *Access* service if the disability results in his/her functional inability to use the *Connect* bus system as described in the three eligibility categories. Temporary eligibility may be granted up to the amount of time recommended by a medical professional.
- ***Personal Care Attendants:*** DCTA will provide ADA complementary paratransit service for a personal care attendant (PCA) traveling with the eligible rider. The need to travel with a PCA will be determined by the applicant and noted as part of the eligibility determination process. It is important to note that the PCA may not directly be needed for transportation but may be needed at the individual's trip destination (for example, to assist with grocery shopping) and thus need for a PCA will not be limited to those individuals who require assistance in traveling. An individual who is certified as needing a PCA cannot be denied

service if they choose to travel without a PCA and may not be required to travel with the same PCA for every trip.

- **Service Animals:** Guide dogs and other service animals are permitted on all DCTA vehicles and are allowed to accompany passengers if this need is indicated in their file. When scheduling a trip, customers should inform *Access* scheduling if a service animal will be accompanying the customer on the trip.
- **Packages:** Carry-on packages are limited to two (2) grocery bags or similar-sized packages onboard *Access* vehicles. Drivers can help a customer carry two packages on and off the vehicle from the same sidewalk or waiting area where the customer boards and gets off the vehicle. The driver cannot carry any packages to the door. Packages should weigh no more than 20 pounds each.
- **Mobility Devices:** DCTA will transport any wheelchair on its vehicles as long as they meet the description listed in No. 49 CFR Part 38 that require transit agencies to provide lifts that have a minimum design load of 600 pounds and that the lift platform accommodate a wheelchair measuring 30 inches by 48 inches. Mobility devices that are over the dimensions or weight limits may contact the Mobility Assistant to determine if DCTA can safely transport the passenger.

Application Process: In order to use *Access*, individuals must complete and submit an application. Applications can be obtained by calling DCTA at (940) 243-0077 or by downloading from the internet at www.dcta.net. Hearing impaired TDD customers can contact our office through the Southwestern Bell TDD line (1-800-735-2989).

Upon receipt of completed applications, ADA regulations allow a maximum of 21 days to process applications. DCTA will begin processing properly completed applications immediately upon receipt. Only completed, signed applications, which may be mailed or faxed, will be considered for review. Applicants will receive written notification of eligibility via U.S. mail.

Applicants will receive a determination letter within 21 days of submission of a completed application. If DCTA has not made a decision on eligibility within 21 days of receipt of the completed application, the applicant may use *Access* ADA paratransit service starting on the 22nd day until a determination is made.

For applicants with a disability, a licensed physician or certified human services professional familiar with the applicant's condition must complete the attached physician form in order to prevent delay with the application review. Examples of licensed or certified human service professionals include:

Medical Doctor, Psychiatrist, Psychologist, Social Worker, Rehabilitation Professional, Physical/Occupational Therapist, Physician's Assistant, Nurse Practitioner, Registered Nurse. Once the application is fully completed, the signed original should be mailed or faxed to:

DCTA
604 East Hickory Street
Denton, Texas 76205
Fax: 940.387.1641

Eligibility Determination: DCTA personnel will determine the eligibility status of a passenger based on the information contained on the application and physician's form. A person may be determined to be eligible, temporarily eligible, or conditionally eligible for certain trips. The applicant will be notified in writing of the eligibility upon determination. An in-person interview may be necessary for eligibility determination. Transportation for any required in-person interview will be provided by DCTA. Individuals who are eligible for *Access* ADA Paratransit consequently qualify for free fare on DCTA *Connect* fixed route service.

Notice of Initial Determination: An applicant that is determined to be eligible for ADA service will be mailed (to the address printed on the application) documentation of eligibility specifically stating that the person is "ADA Paratransit Eligible." This eligibility qualifies the customer to schedule both ADA complementary paratransit trips and *Access* (Non-ADA) trips. An applicant that is determined to be eligible to schedule *Access* (Non-ADA) trips **only** will receive documentation to that effect. The document will include the name of the eligible individual, the phone number for DCTA, an expiration date for eligibility, and any conditions or limitation on the individual's eligibility including the use of a personal care attendant. If the determination is that the person is not eligible, the written notification will state the specific reason(s) for the finding. All applicants have the right to appeal the initial determination of eligibility.

Review Process and Time Frame: Upon receipt of a completed application, DCTA will review the application and determine the individual's eligibility within 21 days of receipt. This responsibility has been assigned to the ADA Coordinator or Mobility Assistant. If a determination is not made within 21 days, the applicant is treated as eligible and will receive service until such time as a determination of eligibility is made.

Notification of Eligibility: Each applicant will be notified in writing by mail of their status within 21 days of submitting a properly completed application. If determined eligible, this letter will serve as temporary eligibility documentation as described below. The procedures for using ADA complementary paratransit will also be mailed with this letter in a format useable by the individual (such as large print, audio, or electronic file).

Those persons determined to be ineligible will be provided with specific information as to why their application was rejected and instructions on how they can appeal the decision (described below). This information will also be mailed with this letter in a format useable by the individual.

Documentation: DCTA will provide certified individuals with documentation that can be used as identification for reciprocal eligibility for ADA complementary paratransit service in other areas of the communities in the United States. This documentation will include the following information:

- Name of eligible individual
- Name of certifying transit provider – DCTA
- Telephone number of the DCTA ADA Coordinator
- Whether or not the rider requires use of a lift or ramp
- Expiration date
- Any conditions or limitations on eligibility
- Whether person travels with a PCA
- Information on the appeal process if the individual is denied eligibility or has conditions placed on eligibility.

Eligibility Appeal Process: The DCTA *Access* eligibility appeal process is as follows:

- Individuals are permitted to request an appeal to the DCTA *Access* Appeal Panel (AAP) within sixty (60) days of the initial eligibility decision, beginning on the date the individual receives notification of the initial decision;
- Appellants have an opportunity to be heard in person and to present additional information and arguments regarding their disability and ability to use the *Connect* fixed route service;
- The AAP hears all appeals and the Panel's ruling is final.
- Applicants are notified of appeal decisions in writing, or in an accessible format if requested, and the notification will state the reason(s) for the decision if eligibility is still denied;
- Applicants should mail appeals to the following address:

**DCTA
Access Appeal Panel
P. O. Box 96
Lewisville, TX 75057**

If a decision on the appeal is not made within 30 days of the completion of the process, individuals will be considered “presumptively eligible” and will be provided paratransit service until and unless a decision to deny the appeal is issued.

Before sanctions may be imposed, the individual has the option to appeal against the sanction(s). The Appeal Panel will have the final say on all appeals.

Once individuals request an appeal, the Appeal Panel will hear all current violations. For example, an individual appeals sanction for May 2nd and the appeal cannot be heard until May 17th and this individual incurs three additional No-Shows during the interim, all violations will be heard during the same meeting.

Before service may be suspended, the individual will have the opportunity to be heard and to present information justifying the No-Shows.

Access service will not be suspended while an appeal is being considered except in the case of suspension due to seriously violent or illegal conduct.

DCTA will notify the individual, in writing, of the Appeal Panel’s ruling on all appeals. This notification will outline the ruling and supporting reason(s). A decision will be made to the appellant within 30 days of the appeal request date.

Once the individual has been informed of the ruling, sanctions will either be dismissed or imposed on the next day of service.

SERVICE PARAMETERS: *Access* ADA paratransit service, which is prescribed in the Code of Federal Regulations chapter 49 part 37, is provided in an area within three-quarters of a mile on either side of each local fixed route. ADA paratransit is currently provided within the cities of Denton and Lewisville due to the operation of *Connect* and *University of North Texas Shuttle* fixed route services within the cities.

In addition to ADA Paratransit service, DCTA provides broader Non-ADA demand response service to elderly and disabled residents residing within the city limits of all member cities. This broader service is not subject to the service criteria for ADA complementary paratransit service outlined in 49 CFR 37.

Access certified riders may schedule trips to begin and end within in the following cities:

- Denton
- Lewisville
- Highland Village

The *Access* (Non-ADA) demand response trips will be provided on a first-come, first-served basis, are subject to capacity constraints, and must begin and end within a single service zone.

Service Hours: Access service hours will be the same as the hours and days of operation for fixed route services.

DCTA observes the following holidays and service is not available:

- New Year's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day

Days and Hours of Service: ADA complementary paratransit is provided within the same days and hours as the fixed route services.

Fares: One-way fare for passengers and guests, excluding Personal Care Attendants, is \$3.00. For customer convenience, prepaid 10 ride tickets are sold for \$30.00 each. Call 940-243-0077 for more information or visit us online at www.dcta.net.

The fare must be paid at the beginning of each trip. Passengers shall pay the fare in an exact amount or with a DCTA ticket. The driver will not accept checks unless the check is for payment of a ticket book. Drivers do not make change.

Trip Purpose: ADA complementary paratransit is provided for trips of any purpose; no priorities are placed on specific types of trips.

Trip Scheduling and Response Time: Reservations are accepted for ADA complementary paratransit trip reservations on a next-day basis, until regular close-of-business hours. Riders may schedule trips by calling the DCTA office Monday through Friday from 8:00 a.m. to 5:00 p.m. For trips on Monday and service days following holidays, reservations are accepted on Sundays and holidays via the answering machine. Requests for same-day service will be provided if capacity is available.

Service Capacity and Scheduling Flexibility: As required, DCTA will provide adequate capacity to meet all demand for eligible ADA complementary paratransit trips. In some cases, it may be necessary to negotiate trip times with the rider.

In order to meet the ADA requirement for ensuring adequate capacity, DCTA will monitor the following indicators of capacity to ensure that no patterns or practices of capacity constraints are found:

- **On-time performance** – DCTA measures on-time performance according to vehicles that arrive within a promised “thirty-minute ready window” of time. A vehicle that arrives within this “window” is considered on-time. DCTA will try to ensure that all trips are on time but because of the realities of operating conditions (e.g., poor weather, road construction), not all trips will be on-time. Should on-time performance fall below **90%** of on-time performance percent, actions will be taken to address and improve trip timeliness.
- **Trip denials and missed trips** – DCTA plans to meet all requests for ADA complementary paratransit service based on expected demand and to avoid any trip denials or missed trips. There may be insignificant numbers of trips denied due to unforeseen conditions. There may also be an insignificant number of missed trips, defined as a trip where the vehicle arrives late and the rider either is no longer there or declines the trip due to lateness, because of the realities of operating conditions. Trip denials and missed trips will be monitored to ensure capacity is adequate.
- **Trips with excessive lengths** – DCTA monitors travel times on ADA complementary paratransit to ensure comparability to the same or comparable trip if taken on fixed route.

Subscription Trips: As permitted by the ADA regulations), DCTA may provide a portion of its ADA complementary paratransit trips on a subscription basis (also called standing orders). Unlike other ADA complementary paratransit trips, trip priorities and waiting lists for subscription service may be established. DCTA reserves the right to restrict and/or prioritize Subscription Service to maintain a maximum level of 50%. Subscription Service is limited to customers traveling to the same place at the same time at least one time per week on a regular and consistent basis. DCTA will terminate any subscription service that is canceled 50% or more of the time during any thirty (30) day period, or if there is a consistent pattern of cancellations or no-shows of any part of a subscription.

Companions: An ADA complementary paratransit rider is permitted to travel with at least one companion (and more than one on a space-available basis). Companion passengers pay the same fare as ADA riders. The eligible ADA rider shall reserve space for the companion(s) when the rider reserves the ride. Any companions traveling with the eligible individual must share the same trip origin and destination as the eligible individual. The companion is in addition to any PCA with which the rider may travel.

Origin-to-Destination Service and Passenger Assistance: ADA complementary paratransit services will be provided on a *curb-to-curb* basis. DCTA drivers will assist ADA complementary paratransit riders with boarding and disembarking from vehicles and in securing their mobility devices. All drivers who operate ADA complementary paratransit services will be proficiently trained in passenger assistance and sensitivity towards individuals with disabilities.

Riders will be required to travel to the curb outside of their trip origin in time for their scheduled pick-up. Riders who require additional assistance in the form of door-to-door service in order to use the ADA complementary paratransit may request a modification of this policy by contacting the ADA coordinator at (940) 243-0077. In such case, the driver will provide assistance on a door-to-door basis. This ensures that DCTA meets the ADA requirement to provide service on an “origin to destination” basis. While limited assistance in guiding a passenger from their door to the curb may be provided on a case-by-case basis, this must be prearranged and indicated when the trip is scheduled.

The staff of DCTA will not lift a passenger, leave a vehicle unattended or out of visual observation for a lengthy period of time, enter a rider’s home, care for service animals, operate a power wheelchair, provide personal care attendant (PCA) service, or take actions that would be clearly unsafe. If more extensive assistance is needed by the individual than DCTA can provide as a provider of public transportation, the individual will be responsible for arranging personal assistance. Staff of DCTA will work with the individual and/or the rider’s caregiver/social worker to clarify parameters of the assistance provided by the driver and formally document this in a letter sent to the individual.

No Show Policy: Trips no longer required by a customer, whether single trips or subscription service, must be canceled by 5:00 p.m. the day before the scheduled trip. Trips canceled by 5:00 p.m. the day before the scheduled trip will be considered an **Advance Cancellation**. To cancel a trip, customers must call 940-243-0077.

Missed scheduled trips adversely affect service provision as well as other users of *Access*. To that end, DCTA has implemented a set of sanctions to be applied in the case of individuals who systematically miss scheduled trips.

No-Shows and trip cancellations adversely affect service provision as well as other users of *Access*. Sanctions will be applied in the case of individuals who systematically miss scheduled trips.

Same-Day Cancellations: A same-day cancellation occurs when the customer cancels a scheduled trip after 5 p.m. the day before, but two hours before the scheduled pick-up time.

No-Shows: A no-show occurs when a customer fails to cancel their trip at least 2 hours before the scheduled pick-up time or board the *Access* vehicle within 5 minutes after it arrives within the ready-time window.

No-Shows: A no-show occurs when a customer fails to cancel their trip at least 2 hours before the scheduled pick-up time or board the *Access* vehicle within 5 minutes after it arrives within the ready-time window.

SUSPENSION OF SERVICE

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

- Failing to show up for scheduled rides (No-Shows)
- Excessive Same Day Cancellations
- Engaging in disruptive behavior
- Falsifying medical justification for eligibility

Suspensions: Shall not be proposed or implemented for circumstances which are beyond the passenger's control. Examples of situations not within the passenger's control are:

- A sudden personal emergency
- Sudden or worsening illness

- A late vehicle arrival
- Medical conditions which may cause involuntary behavior (e.g. Tourette's Syndrome)

Service Suspension for No-Shows

Because no-shows have the potential to adversely affect other passengers, excessive no-shows may result in a suspension of service.

Passengers who have no-showed or same-day canceled 25 percent of their scheduled trips with a minimum of 11 trips for a calendar month will be subject to suspension. For passengers who schedule 10 or fewer trips in a calendar month, if you no-show or cancel 60 percent of your trips your service will be subject to suspension. Initially a warning letter will be issued to try to modify the behavior. If the problem continues, a progressive suspension length will be as follows:

- a. First Suspension will be for 5 days.
- b. Second Suspension will be for 10 days.
- c. Third Suspension will be for 15 days.
- d. Four and any subsequent suspensions will be for 30 days.

All potential suspensions will be handled on a case-by-case basis. DCTA will contact the customer identifying the proposed suspension period and the reasons for the penalty. Customers who appeal a proposed suspension may continue to ride pending a decision on the appeal. If the appeal is denied, the suspension shall be imposed effective the date the appeal is denied, pending final notification to the customer.

What can the customer do to reduce their No-Shows?

Reducing no-shows in ADA paratransit requires actions by riders as well as transit agencies.

- Call to cancel, as soon as possible, if you won't be taking the trip.
- Be ready and watch for vehicles during the full on-time pickup window.
- Provide detailed pickup instructions (side or rear door, and so on) for large facilities, for any pickup locations that may be difficult for drivers to find, and for any locations where your needed pickup is not at the main entrance.
- If you are a subscription rider, call to inform the transit agency of any changes to your plans, such as a vacation or other absence. Telling a driver is not sufficient.

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

Service shall immediately be suspended for 15 days or until an appeal hearing is held, for passengers who engage in violent, seriously disruptive, or illegal conduct. This includes, but is not limited to:

- Threats of physical harm to other passengers, drivers, or other service personnel
- Physical assault or battery on driver or other passengers
- Verbal abuse, intimidation or altercation with driver or other passengers

- Unlawful harassment of driver or other passengers, including, but not limited to unwelcome verbal, nonverbal, or physical behavior having sexual or racial connotations
- Unauthorized use of or willful damage to vehicle equipment
- Smoking while aboard the vehicle
- 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
- Failing to maintain reasonably acceptable personal hygiene standards which could interfere with the safe operation of the vehicle by the driver or with the use of the service by other passengers
- Any other criminal conduct defined in and/or prohibited by the Texas Penal Code

Customers suspended from service for exhibiting violent, seriously disruptive and/or illegal behavior shall be contacted by DCTA Administration to investigate the alleged situation or incident. If DCTA Administration determines the customer's behavior to be disruptive or violent, the customer shall be sent a written notice by DCTA explaining the reasons for the suspension.

Note: Customers who engage in physical abuse or cause physical injury to another customer or driver may be subject to immediate and permanent suspension, and possible criminal prosecution.

The person shall have 10 calendar days from the date of notice of the proposed suspension to submit to DCTA a request for an appeal. He or she (or their representative) shall include a written explanation as to why the suspension should not be imposed. Customers appealing a suspension based on seriously disruptive or violent behavior may not continue to ride until the Access Appeal Committee issues a written decision on the case. Disruptive behavior which is determined to be due to a disability of the customer may not result in a suspension. However, DCTA may require the customer to travel with a Personal Care Attendant (PCA) if it is established that the customer's behavior poses a significant potential threat of harm to other passengers or to the driver. If such disruptive behavior continues and the required PCA is unable to prevent further instances of such behavior so that the customer continues to present a potential safety problem, service for the customer may be discontinued.

Service Suspension Appeal Process

A customer who disputes the basis for a suspension of service may request an appeal hearing by calling or writing DCTA at:

DCTA
Access Appeal Panel
P. O. Box 96
Lewisville, TX 75057
972-221-4600
972-221-4601 (fax)

1. Before sanctions may be imposed, the individual has the option to appeal the sanction(s). The Access Appeal Panel will have the final say on all appeals.
2. Once an individual requests an appeal, the AAP will hear all current violations. For example, suppose an individual appeals sanction for May 2nd and the appeal cannot be heard until May 17th and this individual incurs three additional no- shows during the interim, all violations will be heard during the same meeting.
3. Before service may be suspended, the individual will have the opportunity to be heard and to present information justifying the no-shows.
4. *Access* service will not be suspended while an appeal is being considered. (Except for cases when suspension is due to seriously disruptive or violent behavior. *See previous section*)
5. DCTA will notify the individual, in writing, of the AAP's ruling on all appeals. This notification will outline the ruling and supporting reasons. A decision will be made to the appellant within 30 days from the appeal request date.
6. Once the individual has been informed of the ruling, sanctions will either be dismissed or imposed on the next day of service.
7. DCTA requires appeals regarding suspension of service due to excessive no-shows be made within 60 days of occurrence. Appeals regarding suspension of service due to violent, seriously disruptive and/or illegal conduct must be made within 10 days of occurrence.
8. The AAP's decisions are final.

ADA COMPLAINTS: For any ADA questions, comments, or complaints, please contact:
Customer Communications Specialist
Phone – 940.297.1103
Email – info@dcta.net
In Person / Via Mail – Address: 604 East Hickory Street, Denton, TX 76205

REQUESTING REASONABLE MODIFICATIONS: If you need to request reasonable modifications or accommodations, please contact DCTA Customer Service at 940.243.0077 or send an email to info@dcta.net.

REQUESTING INFORMATION IN OTHER FORMATS: If you would like to request route information in large print or in another language, please email info@dcta.net. You can also write to us at the address below with your request.

**Denton County Transportation Authority
Alternative Formats
P.O. Box 96 Lewisville, TX 75067**

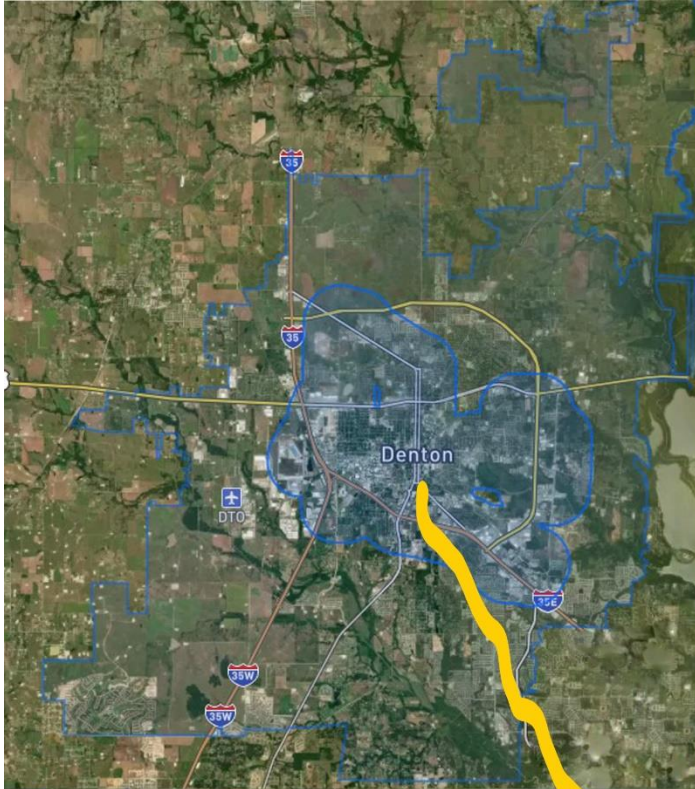
DEFINITIONS OF TERMS USED

- **ADA Paratransit Service** – ADA paratransit service is provided as a complement to fixed route service to those individuals who are unable to ride fixed route services due to disability. ADA service is required within three-fourths (3/4) of a mile on each side of each local fixed route. ADA paratransit service is complementary in the sense that it is meant to be equivalent to local fixed route service and afford those with disabilities the same opportunity to use public transportation.
- **Advance Cancellation** – trips cancelled by 5:00 p.m. the day before a scheduled trip.
- **Demand Response Service** - Non-fixed-route service utilizing vans or buses with passengers boarding and alighting at pre-arranged times at any location within the system's service area.
- **Excessively Long Trips:** Complementary paratransit trips are in comparison upon the length of time required to make a similar trip between the same two points (origin to destination) using the fixed route system, including time spent traveling to and from a boarding point and waiting for the fixed route vehicle to arrive.
- **Local Fixed Route Service** - bus service provided on a fixed schedule along a pre-established route with frequent stops along the route that operates in both peak and off-peak hours. All DCTA fixed route vehicles are wheelchair accessible and have space designated for people with disabilities and the elderly. DCTA encourages all persons with disabilities to use its local fixed route service (known as *Connect*).
- **Commuter Bus:** Fixed route bus service, characterized by service predominantly in one direction during peak periods, limited stops, use of multi-ride tickets, and routes of extended length, usually between the central business district and outlying suburbs. Commuter bus service may also include other services, characterized by a limited route structure, limited stops, and a coordinated relationship to another mode of transportation.
- **Missed Trips:** caused by agencies and not by riders. Trips that are requested, confirmed and scheduled but do not take place due to:
 - Vehicle arrives and leaves before the beginning of the pickup window without picking up the rider. Rider is not obligated to board from the start of the pickup window until 5 minutes have elapsed.
 - The vehicle does not wait the required 5 minutes within the pickup window, there is no contact with the rider and the vehicle departs with the rider. If during the wait time the rider indicates he or she no longer wants to take the trip, this is typically recorded as “cancel at the door”.

- The vehicle arrives after the end of the pickup window and departs without picking up the rider.
- Vehicle does not arrive at pickup location.
- **Disability:** With respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.
- **Mobility Device** – a mechanism such as a wheelchair, walker, or scooter, designed to aid individuals with mobility impairments. They can be either manually operated or powered.
- **Wheelchair** – mobility aid belonging to any class of three or four-wheeled devices, usable indoors, designed for and used by individuals with mobility impairments, whether operated manually or powered.
- **Securement Area or Station:** A designated location for riders using wheelchairs, equipped with a securement system.
- **Securement Device, Equipment or System:** Equipment used for securing wheelchairs against uncontrolled movement during transport.
- **No-Show** – A no-show occurs when a customer fails to cancel their trip at least 2 hours before the scheduled pick-up time or board the *Access* vehicle within 5 minutes after it arrives within the ready-time window. In accordance with ADA regulations, customers who show a pattern and practice of missing scheduled trips may be suspended for a reasonable period of time.
- **On-Time Performance:** considers all aspects such as the vehicle arriving within the pickup window. The pickup window is 15 minutes before and 15 minutes after the scheduled pickup time. It also considers delivering passengers to their destinations in a timely manner.
- **Paratransit** – a comparable transportation service that is required by the ADA for individuals with disabilities who are unable to use fixed route transportation systems.
- **Personal Care Attendant** – An individual who accompanies an *Access* passenger to assist the individual in utilizing *Access* service.
- **Ready-time Window** – A 30-minute window, 15 minutes before and 15 minutes after the scheduled pick-up time, in which a customer should be ready for pick-up.

- **Same-Day Cancellations** – A same-day cancellation occurs when the customer cancels a scheduled trip after 5 p.m. the day before, but two hours before the scheduled pick-up time.
- **Service Animals** - animals that are individually trained to perform tasks for people with disabilities- such as guiding people who are blind or who have low vision, alerting people who are deaf, pulling wheelchairs, alerting a person who is having a seizure, or performing other special tasks. Service animals are working animals, not pets.
- **Subscription Service** – an ongoing standing order for a passenger traveling to the same place at the same time at least one time per week on a regular and consistent basis.
- **Trip Denials:** result when DCTA does not accept trips requests nor meet 100 percent of expected demand.
- **Examples of trip denials:**
 - A passenger request next-day trip and the transit agency cannot provide that trip.
 - A passenger requests a next-day trip, and the transit agency can only offer a trip that is outside the 1-hour negotiating window and is between points within the Access service area that is comparable with the fixed route. This represents a denial regardless of whether the rider accepts such an offer.
 - A passenger requests a round-trip and the agency can only provide one leg of the trip. If the rider does not take the offered one-way trip, both portions of the trips are denials.

DCTA ACCESS SERVICE AREA



Access Service Zones

 **A-Train**

 **Lewisville/Highland Village**

 **Denton**

