

YVEDDI Public Transportation Americans with Disabilities Act ADA Policy

ADA Policy

The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990. The ADA is civil rights legislation which requires that persons with disabilities receive transportation services equal to those available on the fixed route service.

It is the policy of the YVEDDI Public Transportation that, when viewed in their entirety, services, programs, facilities, and communications provided by YVEDDI Public Transportation are readily accessible and usable to individuals with disabilities. 49 CFR 37.105

1. Fare

Fare for YVEDDI Public Transportation public transportation is as follows:

- Adults - \$2.00 in Town (*Elkin, Jonesville, King, Mocksville, Mt Airy, Yadkinville*) \$3.00 In County, \$5/ \$10/ \$15 Out of County depending on mileage
- Persons with Disabilities - Same as Adult Fare
- Senior Citizens (Age 62 & Older) - Same as Adult Fare
- Medicare/Medicaid Card Holders - No Fare if sponsoring agency pays full cost. Same as Adult Fare if funded by ROAP or other grant funding.
- Microtransit- \$1.00 each Boarding or Monthly Pass \$30, Weekly Pass \$10

2. Holiday Closures / Service Changes

YVEDDI Public Transportation will not operate on the following nationally recognized holidays: New Year's Day, MLK Birthday, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve, Christmas Day and the day after Christmas. YVEDDI Public Transportation's schedule varies due to hours of service offered at different times of the year. YVEDDI Public Transportation will provide service to life sustaining and critical medical appointments during most holiday closures.

3. Approved Equipment

Passengers will be transported providing the lift and vehicle can physically accommodate them, unless doing so is inconsistent with legitimate safety requirements (e.g. the combined weight

of the wheelchair/occupant exceeds that of the lift specifications. Additionally, YVEDDI Public Transportation can accommodate mobility devices that meet following minimum standards:

- *Wheelchair* means a mobility aid belonging to any class of three or more wheels, usable indoors, designed or modified for and use by individuals with mobility impairments, whether manually operated or powered
- Walkers must be collapsible and able to be stored between seats.

4. Mobility Device Brakes

When occupying a lift or securement area, it is recommended that passengers apply the brakes on their mobility devices; however, they are not required to do so. With power chairs or scooters, it is recommended that the power switch be turned to the “off” position. Again, this is not mandatory.

5. Portable Oxygen Use

Individuals with disabilities who use portable oxygen devices are allowed to travel with respirators and properly secured portable oxygen supplies. Oxygen supplies must not obstruct the aisle. (49 CFR 37.167(h))

6. Securement Policy

Operators will use front and rear tie-downs to secure mobility devices. Operators will secure mobility devices at the strongest parts of the device; however, the passenger can indicate the most optimal tie-down spot. The mobility device will be secured front facing unless otherwise requested by the passenger. Drivers will assist passengers with securement systems, ramps, and seatbelts; however, drivers cannot assist riders using power chairs or scooters with the operation of their equipment. YVEDDI Public Transportation cannot refuse to transport someone whose mobility device cannot be satisfactorily restrained provided that the mobility device fits within the definition described in Section 3. (49 CFR 37.165)

A conforming lap and shoulder belt shall be provided as installed by the vehicle manufacturer. It is required for all passengers riding in a YVEDDI Public Transportation vehicle to use the lap and shoulder belts that are provided in the vehicle regardless of whether the rider has a disability or not. If a passenger chooses a seat that is not equipped with a shoulder belt, the rider must use the lap belt that is provided. Exceptions may be made for certain medical conditions; such as colostomy bag, dialysis port, etc.

7. Stop Announcements

Stops at major intersections, transfer points, and destination points will be announced on fixed route buses by the automated announcement system. Should this system at any point fail, operators will make verbal announcements. Transit operators will announce other stops upon request. (49 CFR 37.167 (a-c))

8. Personal Care Attendants

A Personal Care Attendant (PCA) may ride with you at no charge. A PCA is someone who travels with, and helps, a rider who is not able to travel alone. You must provide your own PCA if you need one. Please let us know on your application form whether or not you will be using a PCA. This information will guarantee a place for him or her to ride with you. Guests and companions may ride with you on YVEDDI Public Transportation. Guests and companions must pay regular fare. A companion is anyone who rides with you who is not designated as your PCA. (49 CFR 37 (d))

9. Service Animals

A service animal is any guide dog, signal dog, or other 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. This training can be by an organization or by an individual, including the individual with a disability. Accordingly, YVEDDI Public Transportation must follow the DOT definition in § 37.3 when assessing whether to accommodate a particular animal. While most service animals are dogs, DOT's definition recognizes the possibility of other animals. The definition does not include animals whose sole purpose is to provide "emotional support."

YVEDDI Public Transportation does not require riders to provide documentation for their service animal before boarding a bus, but personnel may ask riders two questions: (1) is the animal a service animal required because of a disability? and (2) what work or task has the animal been trained to perform?

YVEDDI Public Transportation may refuse to transport service animals deemed to pose a direct threat to the health or safety of drivers or other riders, create a seriously disruptive atmosphere, or are otherwise not under the rider's control. The animal should be on a leash/harness, unless commanded and controlled through other means; in a container, remain under control of the owner, and behave appropriately. For example, a rider with a service dog is responsible for ensuring the dog does not bite the driver or other riders. Conversely, a dog that barks occasionally, would likely not be considered out of the owner's control.

- The animal must remain at your feet or on your lap. It may not sit on a vehicle seat.
- The animal must not be aggressive toward people or other animals. (49 CFR 37.167 (d))

YVEDDI Public Transportation does not allow pets or emotional support animals to ride.

10. Boarding Assistance

Vehicle operators shall provide assistance as needed to include boarding, alighting, and securement, and will offer assistance to each passenger. If the passenger refuses, the driver will remain nearby to provide assistance if needed. Additional assistance may be provided through reasonable accommodation. (See section 19.)

11. Maintenance of Lifts or Ramps

Vehicle operators must test the lift or ramp during the pre-trip inspection. Breakdown of accessibility equipment must be reported immediately to dispatch. A vehicle with an inoperable lift or ramp must be removed from service as soon as possible and cannot be returned to service until repaired. If there is a lift or ramp failure, a replacement vehicle must be dispatched if the next trip to the destination of any passenger using a mobility device is scheduled in more than 30 minutes. If the next trip to the destination of any passenger using a mobility device is scheduled in 30 minutes or less, a replacement vehicle may be dispatched if available. If no spare vehicle is available to replace the vehicle with an inoperable lift, that vehicle can stay in service no more than five days from the day on which the lift is discovered to be inoperable. (49.CFR 37.163)

12. Priority Seating

Upon request, bus operators shall ask – but not require – passengers to yield priority seating at the front of the bus to seniors and persons with disabilities. Drivers are not required to enforce the priority seating designation beyond making such a request.

13. Reserved Seating

Mobility device securement areas on buses are reserved. Passengers using common mobility aids shall be boarded if the securement areas are not otherwise occupied by a mobility device, regardless of the number of passengers on the bus. Bus operators are required to ask passengers sitting in the securement areas to move to other available seats or to stand.

14. Suspension of Service

A rider's privileges may be suspended for any of the following infractions on any YVEDDI Public Transportation property, including vehicles, bus stops, or shelters:

- Smoking or carrying a lit pipe, cigar, or cigarette, including e-cigarette or vaping device (unless in a designated smoking area).
- Discarding or dumping litter in places other than the recognized receptacles.
- Consuming alcoholic beverages or in possession of alcoholic beverages.
- Loud, raucous, unruly, harmful, or harassing behavior. (May be a condition of disability, if so, the rider would not be subject to suspension unless the behavior presents a safety risk to the

- driver or other passengers)
- Possessing a firearm
- Engaging in other conduct that is inconsistent with the intended purpose of the transit facility, station, or vehicle.
- Service animal is not under control of the passenger and creates a safety hazard

15. Notification of Policy

YVEDDI Public Transportation will notify the public of the ADA policy on the website and in the rider's guide.

16. Equivalent Service Policy

The **YVEDDI Public Transportation** certifies that its demand responsive service offered to individuals with disabilities, including individuals who use wheelchairs, is equivalent to the level and quality of service offered to individuals without disabilities. Such service, when viewed in its entirety, is provided in the most integrated setting feasible and is equivalent with respect to:

- (1) Response time;
- (2) Fares;
- (3) Geographic service area;
- (4) Hours and days of service;
- (5) Restrictions on trip purpose;
- (6) Availability of information and reservation capability; and
- (7) Constraints on capacity or service availability.

In accordance with 49 CFR 37.77, public entities operating demand responsive systems for the general public which receive financial assistance under 49 U.S.C. 5311 or 5307 must file this certification with the appropriate state program office before procuring any inaccessible vehicle. Such public entities not receiving FTA funds shall also file the certification with the appropriate state program office. Such public entities receiving FTA funds under any other section of the FT Act must file the certification with the appropriate FTA regional office. This certification is valid for no longer than one year from its date of filing.

17. Visitor Certification

Visitors are defined as individuals who reside outside of YVEDDI Public Transportation's jurisdiction. YVEDDI Public Transportation provides complementary paratransit service to individuals with disabilities who are visiting. Visitors are eligible for 21 days of service in a 365-day period beginning on the first day the service is used by the visitor. For individuals who reside outside the YVEDDI Public Transportation's service jurisdictions, YVEDDI Public Transportation shall certify an individual with a disability as a visitor when documentation of residence and a statement indicating that because of their disability they are unable to access the fixed route is provided. (49 CFR 37.121)

18. Complaint Process

YVEDDI Public Transportation is committed to providing safe, reliable, and accessible

transportation options. All comments, positive or negative, are welcomed and will be considered and/or investigated by YVEDDI Public Transportation. Passengers may send their comments to YVEDDI Public Transportation by mail, phone, or online.

A Comment Form is provided online or by mail.

Mailing Address:

YVEDDI Public Transportation
PO Box 309
Boonville, NC 27011

Online Form: <https://yveddi.com/yveddi-public-transportation/>

Phone: (336) 367-3532

a) Designation of Responsible Employee (§37.17(a))

YVEDDI Public Transportation has designated Reginald Nichols, (336) 849-4203, to coordinate its efforts to comply with Part 37.

b) Advertising the Process for Filing a Complaint ((§37.17(b)(1-2))

YVEDDI Public Transportation advertises the complaint process as part of the ADA Policy. The ADA Policy and Comment Form are on the agency website:

YVEDDI Public Transportation provides alternative formats as necessary. Public information and communications are available in accessible formats, upon request. Alternative accessible formats provided are, (audio, large type, etc.). The alternative accessible formats can be requested by calling (336) 849-4203 or emailing rnichols@yveddi.com

c) Communicating the Response to the Complainant (§37.17 (b)(3))

YVEDDI Public Transportation will communicate its response to the complainant within 30 days, including the reasons for the response. Responses may include written, electronic, in-person and telephonic response. All responses are documented and are also added to the YVEDDI Public Transportation's complaint database. Dates to track include:

- Date of receipt
- Date of assignment for investigation
- Date of resolution
- Date of communication to complainant

d) Recordkeeping (§27.121 (b))

YVEDDI Public Transportation must keep all complaints of noncompliance on file for one year and a record of all such complaints (which may be in summary form) for five years.

e) Investigating Complaints

YVEDDI Public Transportation will communicate with all parties involved, the complainant as well as pertinent operations staff.

The investigation may also include:

- Video recordings from facility surveillance and on-board cameras
- Written communications (paper and electronic)
- System data including location tracking, dispatch records, notes and input
- Driver manifests (paper or electronic)
- Interviews with transit agency employees and other riders who may be witnesses to the incident

f) Right to Appeal

If complainants disagree with the determination by the YVEDDI Public Transportation employee, they can appeal the decision in writing within thirty (30) days from the date of the determination letter. The appeal letter should state the reason (s) the complainant believes the decision was in error.

The appeal letter should be mailed to:

YVEDDI Public Transportation

Attn: Director

PO Box 309

Boonville, NC 27011

g) Filing a Complaint with FTA - FTA C 4710.1 §12.6.3

Individuals or any specific class of individuals, personally or through a representative, may submit a complaint to FTA. Those wishing to submit a complaint may do so independent of a transit agency's complaint process. FTA provides an optional Civil Rights Complaint Form on its website for complainants to complete within 180 days from the date of the alleged discrimination. FTA's practice is to encourage riders and others to resolve issues with local agencies when possible before filing a complaint with FTA.

Federal Transit Administration

Office of Civil Rights

Attention: Complaint Team

East Building, 5th Floor – TCR

1200 New Jersey Avenue, SE

Washington, DC 20590

With your form, please attach on separate sheet(s):

- A summary of your allegations and any supporting documentation.
- Sufficient details for an investigator to understand why you believe a public transit provider has violated your rights, with specifics such as dates and times of incidents.
- Any related correspondence from the transit provider.

FTA Civil Rights Complaint Form link:

https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Consolidated_Civil_Rights_Complaint_Form.pdf

19. Reasonable Modification

YVEDDI Public Transportation will make reasonable modifications to its policies, practices, or procedures when requested to do so by individuals with disabilities when such accommodations are necessary to avoid discrimination on the basis of disability. Requests for modifications of Transit System Name policies, practices, or procedures to accommodate an individual with a disability may be made either in advance or at the time of the transportation service. YVEDDI Public Transportation is best able to address and accommodate a request when customers make their requests before the trip. Contact YVEDDI Public Transportation's Dispatch for questions.

20. Direct Threat

If a person is violent, seriously disruptive, or engaging in illegal conduct YVEDDI Public Transportation may, consistent with established procedures for all riders, refuse to carry the passenger. A person who poses a significant risk to others may be excluded [from service] if reasonable modifications to the public accommodation's policies, practices, or procedures will not eliminate that risk. (49CFR 37.5 App. D/ 29 CFR 36.208)

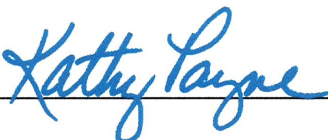
Behaviors that may cause immediate exclusion from the system include:

- Destruction of public property (the vehicle, and/or its furnishings)
- Doing violence to others or to oneself
- Behavior that is seriously unruly, seriously disruptive, threatening, or frightening to others
- Behavior that interferes with the safe operation of the vehicle
- Violations of service animal policy by failing to control one's service animal
- Violations of operating rules governing the provision of transportation system-wide
- Engaging in illegal conduct.
- Other conduct judged by YVEDDI Public Transportation to represent an actual or potential threat to the health, safety or wellbeing of oneself, the operator, other passengers, and/or transit personnel.

Passengers who are excluded from the system due to a direct threat have the ability to request an administrative appeal by contacting Jeff Cockerham at (336) 367-3532.

Policy approved by:

Kathy Payne, Executive Director

Signature  _____

Date: 01-27-2023