

AMERICANS WITH DISABILITIES ACT (ADA)

SECTION 6

Under the Federal Department of Transportation (DOT) Americans with Disabilities Act of 1990 (ADA) regulations, public and private transportation providers are required to operate services in a way that does not discriminate against persons with disabilities. The regulations include general nondiscrimination provisions that apply to all types of agencies and services. This civil rights law sets forth specific requirements for public transportation services, vehicle and facility accessibility, and the provision of complementary paratransit service, as well as overall requirements for a complaint process, codified by U.S. DOT in 49 CFR Part 37.

Federal DOT ADA regulations (49 CFR 37.161-167) detail specific general service requirements that apply across modes. INDOT must monitor subrecipients for compliance with applicable ADA service provision and training requirements. All public and private transportation providers must:

- Allow service animals to accompany individuals with disabilities in vehicles and facilities
- Deploy the lift or ramp upon request, for standees as well as wheelchair-users
- Accommodate people who use a wide variety of mobility devices
- Not deny an individual transportation because a vehicle's securement system is unable to secure the mobility device
- Make public information and communications available in accessible formats
- Accommodate persons using respirators or portable oxygen
- Train operators in the use of accessibility equipment as well as sensitivity to people with disabilities

ADA compliance responsibilities will also vary depending on the type of transportation service provided by your organization.

Upload ADA written policy and procedures to BlackCat is complete

6.1 | Nondiscrimination

1. **Do you have a mechanism to capture, investigate and track ADA complaints? (i.e.: a combined Title VI/ADA complaint procedure and form)**
 Yes No
2. **Have there been any complaints or lawsuits alleging discrimination based on disability?**
 Yes No
If yes, what is the status or resolution of these complaints or lawsuits?
Describe: _____
3. **Does your agency provide specific fare schedule for riders with disabilities?**
 Yes No
Describe: _____

4. Have you encountered any circumstances where your insurance provider would not cover a potential rider? (Does your insurance provider restrict you from providing service to some individuals such as; individuals traveling in a mobility device)
5. Yes No
If yes, how did you address this issue?
Describe: _____
6. Does your organization require the driver to assist passengers with disabilities, if they need assistance, to board and de-board the vehicle? Yes No
7. Does your organization allow service animals to travel with persons with disabilities?
 Yes No Upload of service animal policy to BlackCat is complete
8. Do your organization's policies ensure adequate time for boarding and de-boarding for persons with disabilities?
 Yes No
9. Do you have designated seating for individuals with disabilities?
 Yes No all seats are available
10. Does your organization have a policy for dealing with individuals who engage in violent, seriously disruptive or illegal conduct?
 Yes No Upload Complaint Procedures/Designation of official responsible for compliant resolution to BlackCat is complete
a. If yes, are supervisors, dispatchers, and vehicle operators trained on this policy?
 Yes No
11. Is there an appropriate appeal process for any service refusals?
 Yes No
Where can this be found: Grievance form in front area file cabinets -f drive and may ask driver, or supervisor

6.2 Vehicles – General

12. Does your organizations pre-trip inspection checklist include cycling the lift/ramp to ensure that it is in working order and checking for the presence and condition of the tie-downs in the securement area? Post-trip reports are best practice, but not required.
 Yes No Upload 1 completed pre-trip/post trip inspection forms to BlackCat is complete
13. Does your organization require use of seatbelts and wheelchair securements? Yes
 No
a. If yes, does your organization have a written policy requiring use of securements/seatbelts?
 Yes No Upload of Policy document to BlackCat is complete

- b. If your organization does not have a policy, do you require individuals traveling in a mobility device to use securements/seatbelts? Yes No

14. Does your organization allow the lift to be used by standees to board/de-board the vehicle, if requested?

- Yes No Upload of wheelchair securement policy document to BlackCat is complete

15. Are there any restrictions on the type of mobility devices allowed on the vehicles?

- Yes No

Describe: _____

16. How do you respond to vehicle mechanical issues (failures) to the lift or ramp while the vehicle is in service?

Describe: If the individual is on lift there are manual jacks for each of the buses to use to lower the person down. The driver is to call for another bus to transport individuals.

17. What is the response time to providing service when a vehicle mechanical issue is found?

Our facility is less than half an hour away from any of the routes and would take that time to get to each bus having issues. Then the bus would be taken to Kerlins for repairs.

18. How many days, on average, is the vehicle out of service? 1 to 2 days depending on severity of repairs.

19. Are there other accessible vehicles to fill in when a vehicle is out of service?

- Yes No

20. Does your organization allow Personal Care Attendants (PCA) to travel with persons with disabilities and at no cost? Yes No

21. Does your organization allow persons with disabilities using respirators or portable oxygen to ride?

- Yes No

22. In those situations where only non-accessible vehicles are available, how do you ensure that the needs of non-ambulatory persons are met?

Describe: We have five Caravans with wheelchair accessibility to use if needed.

6.3 Demand-Response Services: Equivalent Service Standards

For an agency to purchase a non-accessible vehicle with 5310 funding the agency must determine that the services they will be providing after the purchase of the non-accessible vehicles is equivalent to the current ADA accessible service.

23. Does your agency vehicle inventory include non-accessible vehicles? (NOTE: if not included in your submitted Vehicle/Fleet Inventory please provide here)

- Yes No Two Ford Fusion cars

24. Is the demand response service provided for persons with disabilities equivalent to the service provided other individuals with respect to the following service characteristics?

- Response time Yes No N/A
- Fares Yes No
- Geographic area of service Yes No
- Hours and days of service Yes No
- Availability of information Yes No
- Trip Reservation capability Yes No
- Constraints on capacity or service availability Yes No
- Restrictions/priorities based on trip purpose Yes No

25. Are trip denials documented?

Trip denial definition: A rider requests a trip and the agency can only offer a trip that is outside the one-hour negotiating window (before or after the individual's desired departure time). This represents a denial regardless of whether the rider accepts such an offer. N/A

Yes No

If yes, is the FTA definition of a trip denial used to document the denials? Yes No

26. Does the service operate without a substantial number of trip denials? Yes

No

Number of denials in last year: _____

27. Are the reasons for trip denials documented? Yes No N/A

28. Is it documented whether the trip request was made by a person with disabilities? N/A

Yes No

29. Do the reasons for trip denials include equipment? Yes No

6.4 | Reasonable Modification

Transit agencies are required to make reasonable modifications to policies, practices, and procedures to avoid discrimination and ensure that their programs are accessible to individuals with disabilities.

Reasonable modification applies to an agency's policies/practices, not the regulatory requirements.

Upload Reasonable Modification Policy to BlackCat complete

30. Does your organization have a process for making reasonable accommodation requests readily available to the public and in an accessible format? Yes No Upload of Marketing Materials with Notice of Reasonable Modification to BlackCat complete

a. If Yes, how is the information communicated to the public? _____

31. Is the subrecipient's process for making reasonable modification requests readily available to the public and in an accessible format? Yes No

- a. If “yes,” how is this information communicated to the public? As of 10/01/2023 we are offering a checklist of information to be communicated at the intake meeting and annual meetings for our riders [REDACTED]

32. Has the subrecipient designated an individual/job position to handle reasonable modification requests?

Yes No

- a. If “Yes,” is the individual’s contact information contained on the transit system’s website or otherwise sufficiently promoted to the public? Yes __mogle@arcwabash.org

33. Does the request process for reasonable modification require advanced notice? Yes

No

- a. If “Yes,” is there adequate flexibility to accommodate request that would reasonably occur spontaneously? Yes No

34. Does the request process require the use of the term “reasonable modification” by the requestor?

Yes No

35. Does the subrecipient sufficiently advertise the process for filing an FTA complaint related to a modification and have the process and form on the agency website? Yes No

- a. If “yes,” describe the advertising methods. [REDACTED]

36. Is there an appropriate appeal process for any service refusals?

a. Yes No

- b. Where can the appeal process be found: In our polices_____