



ADA TOOLKIT OVERVIEW

WEBINAR - JULY 22



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Updated National RTAP Americans with Disabilities Act (ADA) Toolkit Overview

July 22, 2020, 12:00 PM CST



U.S. Department of Transportation
Federal Transit Administration

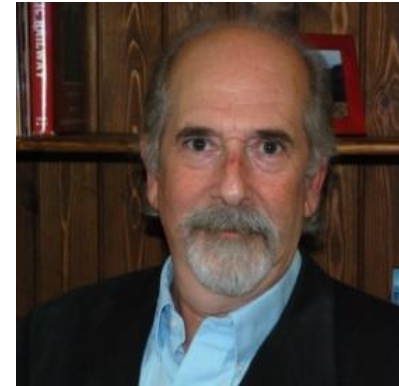
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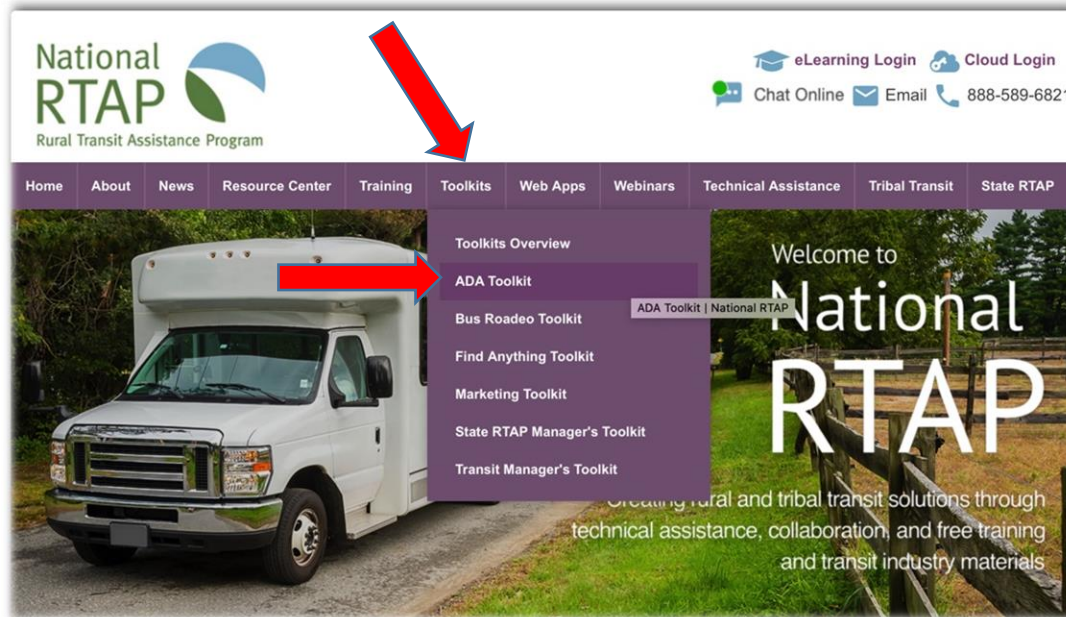
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About the ADA Toolkit

- Developed in 2014 for rural and tribal transit managers.
- Focuses on ADA-related information for public bus systems and demand response services in rural areas.
- Strove to provide “plain language” explanations of complex regulatory language - 49 CFR Parts 37 and 38.
- Provides ideas for good practices and links to regulations, guidance, and more information.
- Updated and expanded in 2020.
- This toolkit provides technical assistance info, not legal advice.

Accessing the Toolkit

From the home page (www.nationalrtap.org), click on Toolkit, then ADA Toolkit



Alternately, click on this hyperlink:

<https://www.nationalrtap.org/Toolkits/ADA-Toolkit/>




Toolkit Sections

- Welcome **Expanded**
- Key Regulations, Standards, and Guidance **NEW**
- Service Type Requirements
 - General Requirements Common to All Service Types **NEW**
 - Fixed Route Bus Requirements **Expanded**
 - Demand Response Requirements **Expanded**
 - Route Deviation Requirements **Expanded**
 - ADA Complementary Paratransit Requirements **Expanded**

Toolkit Sections

- Vehicle and Facility Accessibility **Renamed & Expanded**
- Accommodating Riders Using Mobility Devices **Renamed & Expanded**
- Service Animals **Expanded**
- Passenger Assistance and Customer Service **Renamed & Expanded**
- Rider Information **Expanded**
- Public Meetings and Outreach **NEW**
- Funding Considerations **NEW**
- Questions and Answers **NEW**

Toolkit Sections

- New Developments 
- Glossary 
- Sample Policy Templates 
 - Fixed Route Bus Service with ADA Complementary Paratransit Sample Policy
 - Demand Response Service Sample Policy
 - Route Deviation Service Sample Policy
 - Commingled Fixed Route and Paratransit Service Sample Policy

Welcome Section

The screenshot shows the National RTAP website. At the top, there is a navigation bar with links for Home, About, News, Resource Center, Training, Toolkits, Web Apps, Webinars, Technical Assistance, Tribal Transit, and State RTAP. The main content area is titled "Toolkits Overview" and lists various toolkits, with "ADA Toolkit" highlighted. A yellow arrow with the word "NEW" points to the "ADA Toolkit" link. Below the navigation, there is a section titled "Welcome to the ADA Toolkit" with a sub-header "Welcome to the ADA Toolkit!". The text below the sub-header explains the purpose of the toolkit: "The purpose of this toolkit is to help rural transit managers understand the U.S. Department of Transportation (DOT) requirements for public transit providers under the Americans with Disabilities Act of 1990 (ADA), and to help rural transit systems comply with the ADA requirements that apply to them. The ADA prohibits discrimination against and ensures equal opportunity for persons with disabilities in employment, state and local government services, public accommodations, commercial facilities, and transportation." It also mentions that the information focuses on U.S. DOT regulations in 49 CFR Part 37-Transportation Services for Individuals with Disabilities (ADA) and 49 CFR Part 38-Americans with Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles. The toolkit also refers extensively to Federal Transit Administration (FTA) Circular 4710.1, Americans with Disabilities Act (ADA); Guidance as well as other federal guidance, standards, and technical assistance. The end of this section of the toolkit provides links to these and other key ADA-related regulations, standards, and guidance documents that are referenced throughout the toolkit. It also notes that Section 5311-funded rural public transit systems are the primary audience for this toolkit. State Section 5311 program staff may also find this toolkit useful in understanding the ADA requirements that apply to their Section 5311 subrecipients. The toolkit focuses on the requirements for public entities that operate fixed-route or demand response bus services. Rail and ferry transit modes are also covered by the ADA, but are not addressed in this toolkit. While many ADA requirements apply to all transportation providers, some requirements differ depending upon whether the agency provides the service to a public entity or a private entity. However, if a private contractor is



- Link to download PDF – June 2020 edition
- Table of Contents
- Acknowledgments


 [Download Full-Text Toolkit](#)

Table of Contents

- Welcome to the ADA Toolkit
- Key Regulations, Standards, and Guidance
- Service Type Requirements
 - General Requirements Common to All Service Types
 - Fixed Route Bus Requirements
 - Demand Response Requirements
 - Route Deviation Requirements
 - ADA Complementary Paratransit Requirements
- Vehicle and Facility Accessibility
- Accommodating Riders Using Mobility Devices
- Service Animals
- Passenger Assistance and Customer Service
- Public Meetings and Outreach
- Rider Information
- Funding Considerations
- Questions and Answers
- New Developments
- Glossary

Key Regulations, Standards, and Guidance



NEW

- Regulations – CFRs
 - Table with links to 49 CFR Part 37, 38 and more
- U.S. DOT Regulatory Standards
 - Links to ADA Standards for Transportation Facilities and Vehicles
- Guidance and Technical Assistance
 - FTA ADA Circular C 4710.1, Americans with Disabilities Act (ADA): Guidance
 - Additional U.S. DOT Guidance
 - Disability Rights Education and Defense Fund (DREDF) Topic Guides on ADA Transportation
 - Guidance on Website Accessibility

Service Type Requirements

- General Requirements Common to All Service Types
- Requirements for Specific Service Types
 - Fixed Route Bus Requirements
 - Demand Response Requirements
 - Route Deviation Requirements
 - ADA Complementary Paratransit Requirements



Service Types Mapped to Sample Policies

NEW

Service Type	Sample Policy Template
Fixed Route Bus	• Fixed Route Bus Service with ADA Complementary Paratransit Sample Policy
ADA Complementary Paratransit	
Demand Response	• Demand Response Service Sample Policy
Route Deviation	• Route Deviation Service Sample Policy • Commingled Fixed Route and Paratransit Service Sample Policy

General Requirements Common to ALL Service Types

NEW

- Non-Discrimination Requirements - Overarching
 - U.S. DOT Regulatory Definition of “Wheelchair”
 - Reasonable Modifications
- Provision of Service Requirements
 - Maintenance and Use of Accessible Features
 - Other Service Requirements
- Reasonable Modification of Policies and Practices
- Training Requirements
- Complaint Process Requirements



Fixed Route Bus

Expanded

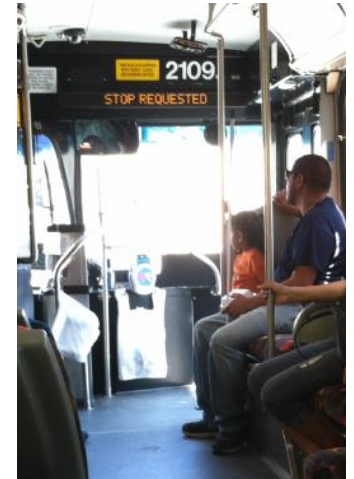
- Defining fixed route service - per 49 CFR Part 37
- Reminder to review General Requirements for All Services – common to each “service type” section
- Accessible Vehicles
 - Vehicles of Historic Character
- Maintenance of Accessibility Equipment
- Inoperative Lift or Ramp on a Fixed Route Vehicle
- Passenger Assistance and Use of Accessibility Equipment



Fixed Route Bus (continued)

Expanded

- Route Identification
- Stop Announcements
- Access to Priority Seating, Securement Areas
- ADA Complementary Paratransit
- Accessibility of Bus Stops and Surrounding Pedestrian Environment
- Rider Information and Travel Training
- Sample ADA policy template – includes Fixed Route and ADA Complementary Paratransit



ADA Complementary Paratransit

Expanded

- Subsections in this section:

- Origin-to-Destination Service

NEW

- Service Criteria

Expanded

- Prohibited Capacity Constraints

Expanded

- Eligibility

Expanded

- Other ADA Complementary Paratransit Operational Requirements and Considerations

Expanded

- Planning Paratransit Service and Ongoing Consultation with People with Disabilities

NEW

- Facilitating Use of Fixed Route Service when Possible

NEW

ADA Complementary Paratransit

- Origin-to-Destination Service
 - “...complementary paratransit service...shall be origin-to-destination service.” (§ 37.129)
- What does that mean? Added discussion with examples to the toolkit, based on U.S. DOT guidance
 - Transit agency policy can be curb-to-curb or door-to-door
 - If curb-to-curb, need to provide door-to-door service when required by a rider’s disability.
 - Example: Help an ambulatory rider with mobility limitation with steps to door.



ADA Complementary Paratransit (continued)

- Service Criteria

- ADA's six service criteria frame provision of ADA paratransit.
- #2 Response Time: Sometimes *misapplied* as "24 hours in advance." Trips can be booked on a *next-day* basis.
- #6 No Capacity Constraints:, examples of operational patterns and practices that indicate capacity constraints

ADA's 6 Service Criteria:

1. Operate in the **same service area** as the fixed route system: 3 /4-mile corridor on either side of bus routes and around rail stations.
2. Have a **comparable response time** as fixed route: accommodate trip requests for a particular day during normal business hours on previous day (i.e., next-day service).
3. Have **comparable fares** to fixed route: fares no more than twice the base, non-discounted adult fare for fixed route service.
4. Meet requests for **any trip purpose**: no trip purpose restrictions or priorities.
5. Operate during the **same days and hours** as the fixed route service.
6. Operate **without capacity constraints**: no waiting lists, trip caps, or patterns and practices of substantial number of trip denials, untimely pick-ups or excessively long trips.

ADA Complementary Paratransit (continued)

- Eligibility Certification – expanded discussion of
 - 3 Categories of Eligibility
 - Cannot navigate without assistance (category 1). Example: Rider has cognitive disability.
 - Requires accessible vehicle but not available (category 2). Example: Fixed
 - Unable to reach transit stop (category 3). Example: Rider uses wheelchair but no curb ramps.
 - Types of Eligibility Granted to Riders
 - Unconditional: can make all trips on ADA paratransit.
 - Conditional: can use fixed route for some trips or some of the time.
 - Temporary: can use ADA paratransit for a defined length of time.
 - Visitor Eligibility
 - ADA paratransit to be provided to visitors on “same basis” as to eligible riders.
 - Accept ADA ID from visitor’s home jurisdiction or other documentation
 - Provide service for any combination of 21 days over 365-day period.

ADA Complementary Paratransit (continued)

- Other Considerations
 - Geographic Coverage and Rural Road Conditions
 - Poor road conditions within the required ADA service area: what if unsafe?



ADA Complementary Paratransit (continued)

- Trip Negotiation
 - Can schedule a trip within one hour before or after requested time
- No-Shows
 - Allowed to establish process to suspend riders with pattern and practice of no-shows.
 - Added discussion of recommendations from FTA Circular
- Suspensions
 - Must notify rider before; rider can appeal.
 - Only for reasonable time period. Not longer than 30 days.

ADA Complementary Paratransit (continued)

- Sample ADA paratransit policy
 - The toolkit includes a sample template for fixed route and ADA paratransit that a transit agency can use to customize to reflect the agency's local policies.
 - Template includes the components needed for compliance, for example:
 - Eligibility determination process
 - Service characteristics and operating policies (e.g., 6 service criteria)
 - Origin to destination service
 - No-show policy

Excerpt of Page 108 of the PDF – National RTAP ADA Toolkit – 2020 Update

Sample ADA Policies for Rural Public Transit Systems
Fixed Route Bus Service with ADA Complementary Paratransit Sample Policy

Fixed Route Bus Service with ADA Complementary Paratransit Sample Policy

The purpose of this document is to provide rural public transit agencies with a sample of a written ADA policy for fixed route bus service with ADA complementary paratransit. This template is only appropriate for transit systems that provide fixed route bus services. Transit systems that provide route deviation, commingled fixed route and paratransit service and/or general demand responsive services (in addition to, or instead of, fixed route services) should refer to the sample ADA policy template for these types of services.

Instructions:

The transit agency is advised to carefully read all elements of this policy template and edit to reflect its local policies and practices. The items in red should be customized for the transit agency and its own local policies.

The items in purple are additional notes and instructions related to customizing the template. Please make sure to delete these comments in the final policy document.

___(insert name of transit agency)___

Americans with Disabilities Act of 1990 (ADA) Policy and Procedures

Date: _____

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. *Note: This policy template reflects federal requirements. The transit agency will need to research if there are any state-specific disability nondiscrimination requirements that apply to them. If there are no relevant state-specific requirements, the transit agency may want to delete "and applicable state laws and regulations" in their policy. If there are state-specific requirements, they will need to be*

Demand Response

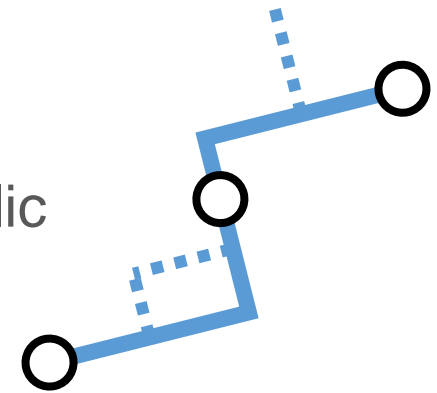
Expanded

- What is Demand Response Service? **Expanded**
- General Requirements reminder
- Demand Response Specific Requirements
 - Vehicles Used in Demand Response Service
 - Equivalent Service Standards
 - Contracting Service from Taxi Providers and Transportation Network Companies **NEW**
- Sample Demand Response ADA Policy template **NEW**

Route Deviation

Expanded

- Characteristics of Route Deviation Service
- General Requirements reminder
- Route Deviation Service for the General Public
 - Equivalent Service Standards
 - Vehicle Accessibility
 - Ensuring Nondiscrimination in Route Deviations
- **Commingled Fixed Route and Paratransit Service**
 - ADA Complementary Paratransit requirements must be met
- **Two Sample ADA Policy Templates**
 - Route Deviation for the General Public
 - Commingled Fixed Route and Paratransit Service



Vehicle and Facility Accessibility



Renamed & Expanded

- U.S. Access Board
- U.S. Department of Transportation
- Transportation Vehicles **Expanded**
 - Summary of the Accessibility Specifications for Buses and Vans
 - Additional Mobility Device Accessibility Considerations
 - Vehicle Step Height Considerations
- Transportation Facilities **Expanded**
 - Summary of the Accessibility Specifications for Transportation Facilities
 - Bus Stop Inventory and Improvement Planning
 - Signage and Wayfinding for People with Vision Disabilities
- Equivalent Facilitation **NEW**



Accommodating Riders Using Mobility Devices

Renamed & Expanded

- Types of Mobility Devices 
- Ensuring Transit Vehicles and Facilities Can Physically Accommodate Riders Using Mobility Devices
 - Accessible Vehicles 
 - Accessible Facilities
 - Ensuring Accessibility Features Work

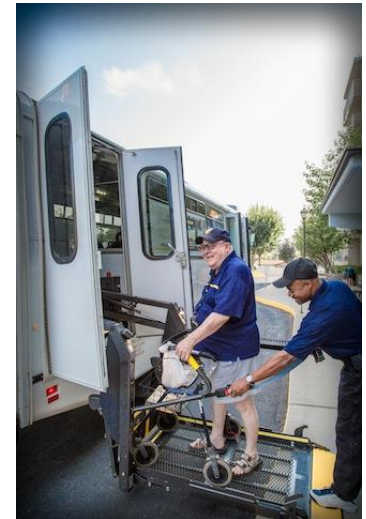


Accommodating Riders Using Mobility Devices (continued)

- Operating Policies on Accommodating Riders Using Mobility Devices



- Using Accessibility Features
- Deploying Lift at Any Stop
- Adequate Time to Board
- Allowing Standees on Lifts/Ramps
- Boarding Direction
- Pushing Manual Wheelchair onto Lift or Ramp
- Accommodating Riders Who Use Wheelchairs if the Lift and Vehicle Can Physically Accommodate Them
- Accommodating Bariatric Riders Who Use Mobility Devices



Accommodating Riders Using Mobility Devices (continued)

- Operating Policies on Accommodating Riders Using Mobility Devices (continued)



- Access to Securement Area
- Use of Securement Devices
- Use of Seat Belts and Shoulder Harnesses
- Requesting that Riders Transfer to a Seat
- Strollers as Mobility Devices
- Other Considerations for Assisting Riders Who Use Mobility Devices



Service Animals

Expanded

- Definition of a Service Animal
(U.S. DOT definition differs from U.S. Dept. of Justice)
- Determining Whether or Not an Animal
is a Service Animal
- Other Considerations about Accommodating Service
Animals
- Case Study: Lane Transit District's "Paw Print
Endorsement" Approach
- Additional Resources on Service Animals



Passenger Assistance and Customer Service

Renamed & Expanded

- Personnel Training Requirements
- Customer Service Guidelines
- General Guidelines for All Customers
- Communication Tips – Serving Customers ...
 - With Hearing Impairments
 - With Vision Disabilities
 - Who Use Wheelchairs
 - Who Use Service Animals
 - With Intellectual Disabilities
 - With Psychiatric Disabilities



Rider Information

Expanded

- Federal Requirements on Information Accessibility
- Federal Requirements and Standards for Information and Communication Technology
- Accessible Formats
- Information at Transit Facilities and on Transit Vehicles

Public Meetings and Outreach



- Ongoing Public Participation – Toolkit provides suggestions
 - Transit agencies have public participation requirements beyond ADA
 - Transit agencies that provide ADA paratransit have requirements for engaging individuals with disabilities
 - Important to engage people with disabilities on an ongoing basis (e.g., through a citizen advisory committee –examples provided)
- Hosting Accessible Meetings - Recommended practices
 - Meeting location
 - Room set-up
 - Meeting materials / accessible presentation

Funding Considerations



- FTA Funding that Can Support ADA-Related Expenses
 - Section 5311—Formula Grants for Rural Areas
 - Section 5310—Enhanced Mobility of Seniors and Individuals with Disabilities
 - Section 5339 - Bus and Bus Facilities Infrastructure Investment Program
 - Other FTA Funding Programs that Can Be Used in Rural Areas
 - FTA Funding and ADA Requirements
 - “standing in the shoes”
- Coordination with Other Sources of Transportation Support for People with Disabilities



Questions and Answers





- Drop-down Q&A grouped by topic:
 - General Questions
 - Fixed Route Bus Service
 - ADA Complementary Paratransit
 - Accommodating Riders Using Mobility Devices
 - Service Animals
 - Funding
 - Emergency Management
- **Technical assistance, NOT legal advice!**



New Developments

Updated

- New and Emerging Transportation Modes 
- New and Emerging Technologies 
 - Automated and Connected Vehicles
 - Wheelchair Charging Stations
- Recent Changes to ADA-Related Federal Rules and Standards
 - Information and Communication Technology (ICT) Final Standards and Guidelines
- Does not yet address COVID-19 - will be addressed in a forthcoming update to this toolkit

And finally...

- Glossary
- Sample Policy Templates
 - Fixed Route with Paratransit
 - Demand Response
 - Route Deviation for the General Public
 - Commingled (Fixed Route Combined with Paratransit – Commingled service is also commonly referred to as route deviation)



Thank you!

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Find contact information for FTA Regional Civil Rights Officers through:
<https://www.transit.dot.gov/about/regional-offices/regional-offices>