

# Appendix B – Requirements of the ADA

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The following items are included due to the requirements of the Americans with Disabilities Act (ADA) and section 504 of the Rehabilitation Act of 1973, as amended (section 504), specifically to provide that transportation entities are required to make reasonable modifications/accommodations to policies, practices, and procedures to avoid discrimination and ensure that their programs are accessible to individuals with disabilities.

[Procedure 1 - CCAT provides Door to door Dial-a-Ride service](#) as described in the Riders Guide: “Door to Door” ADA Dial-a-Ride Service meets the federally required “origin to destination” service.

Drivers do not have to provide services that exceed “door-to-door” service (e.g., go beyond the doorway into a building to assist a passenger.) Nor would drivers, for lengthy periods of time, have to leave their vehicles unattended or lose the ability to keep their vehicles under visual observation, or take actions that would be clearly unsafe (e.g., back a vehicle down a narrow alley in specific circumstances that would present a direct threat to safety.)

[Procedure 2 – CCAT may refuse to provide service to riders, their personal care attendant or companions traveling with riders \(any individual\) that engages in violent, seriously disruptive, or illegal conduct, or represents a direct threat to the health or safety of others.](#)

However, CCAT will not refuse to provide service to an individual with disabilities solely because the individual’s disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of the entity or other persons.

[Procedure 3 – Complaints shall be handled in the following manner:](#)  
Complaint forms shall be filled out for all complaints received.

On any written complaint or voice mail complaint received a verbal acknowledgment will be made within twenty-four (24) hours to the customer to inform the person that their complaint is being investigated.

Further, a written record of the complaint will describe and explain the remedial action taken within three (3) days of the date that the complaint was received and mailed to the customer.

Within five (5) working days a follow-up letter will be sent to the individual filing the complaint to determine if the problem has been resolved to the person's satisfaction.

At the discretion of the CCAT General Manager and depending on the severity of the complaint a verbal response may replace the written response, but the complaint will still be documented.

It is important to note that in addition to a timely follow up and resolution to complaints, it is also imperative that the problem that caused the complaint is eliminated.

[Procedure 4 - Process to be used in considering requests for reasonable modification with respect to deviated fixed route, InterCity, and Dial-a-Ride.](#)

Passengers may request a reasonable modification with respect to deviated fixed route, InterCity, and Dial-a-Ride in order to use our service, or submit a comment or complaint about the services, by contacting CCAT at 541-267.7111

Whenever feasible, requests for modifications should be made and determined in advance, for example, during the Dial-a-Ride eligibility process, through customer service inquiries, or through the complaint process.

Where a request for modification cannot practicably be made and determined in advance (e.g., because of a condition or barrier at the destination of which the individual with a disability was unaware until arriving), operating personnel will

make a determination of whether the modification should be provided at the time of the request. Operating personnel may consult with the 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:

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

In determining whether to grant a requested modification, the CCAT will be guided by the provisions of Appendix E (below.)

In any case in which a request for a reasonable modification is denied, action shall be taken, to the maximum extent possible, (that would not result in a direct threat or fundamental alteration) to ensure that the individual with a disability receives the services or benefit provided by the CCAT.

#### [Procedure 5 - Sandy or Slippery Walkway](#)

Passengers will be allowed to take the driver's arm to increase both the speed and safety of the walk from the door to the vehicle.

Likewise, if sand or slippery conditions at a bus stop make it difficult or impossible for a passenger with a disability to get to a lift, or for the lift to deploy, the driver should move the bus to a cleared area for boarding, if such is available within reasonable proximity to the stop.

#### Procedure 6 - Pick Up and Drop Off Locations with Multiple Entrances

A Dial-a-Ride rider's request to be picked up at home, but not at the front door of his or her home, should be granted, as long as the requested pick-up location does not pose a direct threat.

Similarly, in the case of frequently visited public places with multiple entrances (e.g., shopping malls, employment centers, schools, hospitals, airports), the Dial-a-Ride operator should pick up and drop off the passenger at the entrance requested by the passenger, rather than meet them in a location that has been predetermined by the transportation agency, again assuming that doing so does not involve a direct threat.

#### Procedure 7 - Private Property

Dial-a-Ride passengers may sometimes seek to be picked up on private property (e.g., in a gated community or parking lot, mobile home community, business or government facility where vehicle access requires authorized passage through a security barrier.)

The Dial-a-Ride operator should make every reasonable effort to gain access to such an area (e.g., work with the passenger to get the permission of the property owner to permit access for the Dial-a-Ride vehicle.) The Dial-a-Ride operator is not required to violate the law or lawful access restrictions to meet the passenger's requests.

#### Procedure 8 - Obstructions

A passenger's request for a driver to position the vehicle to avoid obstructions based on the passenger's ability to enter or leave the vehicle at a designated stop location, such as parked cars, sand, and construction, should be granted so long as positioning the vehicle to avoid the obstruction does not pose a direct threat.

To be granted, such a request should result in the vehicle stopping in reasonably close proximity to the designated stop location. Likewise, operators should be flexible in establishing pick up and drop off points to avoid obstructions.

#### Procedure 9 - Fare Handling

A passenger's request for transit personnel (e.g., the driver, station attendant) to handle the fare media when the passenger with a disability cannot pay the fare by the generally established means will be granted (e.g., in a situation where a bus passenger cannot reach or insert a fare into the farebox.)

Transit personnel are not required to reach into pockets or backpacks in order to extract the fare media.

#### Procedure 10 - Eating and Drinking

If a passenger with diabetes or another medical condition requests to eat or drink aboard a vehicle or in a transit facility in order to avoid adverse health consequences, the request will be granted.

#### Procedure 11 - Medicine

A passenger's request to take medication while aboard vehicle or in a transit facility will be granted. For example, individuals will be allowed to administer insulin injections and conduct finger stick blood glucose testing.

Transit staff will not need to provide medical assistance, however, as this would be a fundamental alteration of their function.

#### Procedure 12 - Boarding Separately from Wheelchair

A wheelchair user's request to board a vehicle separately from his or her device when the occupied weight of the device exceeds the design load of the vehicle lift will generally be granted.

(Note that under 37.165(b), we were required to accommodate device/ user loads and dimensions that exceed the former "common wheelchair" standard, as long as the vehicle and lift will accommodate them.)

#### Procedure 13 - Dedicated Vehicles or Special Equipment in a Vehicle

A Dial-a-Ride passenger's request for special equipment (e.g., the installation of specific hand rails or a front seat in a vehicle for the passenger to avoid nausea or back pain) can be denied so long as the requested equipment is not required by the Americans with Disabilities Act or the Department's rules.

Likewise, a request for a dedicated vehicle (e.g., to avoid residual chemical odors) or a specific type or appearance of vehicle (e.g., a sedan rather than a van, in order to provide more comfortable service) can be denied.

#### Procedure 14 - Exclusive or Reduced Capacity Dial-a-Ride Trips

A passenger's request for an exclusive Dial-a-Ride trip will be denied as a fundamental alteration of the entity's services. Dial-a-Ride is by nature a shared-ride service.

#### Procedure 15 - Outside of the Service Area or Operating Hours

A person's request for service may be denied when honoring the request would require the transportation provider to travel outside of its service area or to operate outside of its operating hours.

This request would not be a reasonable modification because it would constitute a fundamental alteration of the entity's service.

#### Procedure 16 - Personal Care Attendant (PCA)

While PCAs may travel with a passenger with a disability, CCAT is not required to provide a personal care attendant or personal care attendant services to meet the needs of passengers with disabilities.

For example, a passenger's request for a transportation entity's driver to remain with the passenger who, due to his or her disability, cannot be left alone without an attendant upon reaching his or her destination may be denied. It would be a fundamental alteration of the driver's function to provide PCA services of this kind.



#### Procedure 17 - Intermediate Stops

Granting a passenger's request for a driver to make an intermediate stop, where the driver would be required to wait, is optional. For example, a passenger with a disability arranges to be picked up at a medical facility and dropped off at home. On the way, the passenger with a disability wishes to stop by a pharmacy and requests that the driver park outside of the pharmacy, wait for the passenger to return, and then continue the ride home. While this can be a very useful service to the rider such a stop in the context of a shared ride system is not required.

Since Dial-a-Ride is, by its nature, a shared ride system, requests that could disrupt schedules and inconvenience other passengers could rise to the level of a fundamental alteration.

*Note: CCAT Drivers are not allowed to alter a passenger's scheduled pick up or drop off time or location without authorization from the Dispatcher.*

#### Procedure 18 - Payment

A passenger's request for a fixed route or Dial-a-Ride driver to provide the transit service when the passenger with a disability cannot or refuses to pay the fare may be denied.

Passengers are required to pay appropriate co-pays or fares. Free service would constitute a fundamental alteration of the service we provide.

#### Procedure 19 - Caring for Service Animals

A Dial-a-Ride or fixed route passenger's request that the driver take charge of a service animal will be denied. Caring for a service animal is the responsibility of the passenger or a PCA.

#### Procedure 20 - Opening Building Doors

A passenger's request for the driver to open an exterior entry door to a building to provide boarding and/or alighting assistance to a passenger with a disability should generally be granted as long as providing this assistance would not pose a direct

threat, or leave the vehicle unattended or out of visual observation for a lengthy period of time.

Note that a request for “door-through-door” service (i.e., assisting the passenger past the door to the building) generally would not need to be granted because it could rise to the level of a fundamental alteration.

#### [Procedure 21 - Exposing Vehicle to Hazards](#)

If the passenger requests that a vehicle follow a path to a pick up or drop off point that would expose the vehicle and its occupants to hazards, such as running off the road, getting stuck, striking overhead objects, or reversing the vehicle down a narrow alley, the request can be denied as creating a direct threat.

#### [Procedure 22 - Hard-to-Maneuver Stops](#)

A passenger may request that a vehicle navigate to a pick-up point to which it is difficult to maneuver. A passenger’s request to be picked up in a location that is difficult, but not impossible or impracticable, to access should generally be granted as long as picking up the passenger does not expose the vehicle to hazards that pose a direct threat (e.g., it is unsafe for the vehicle and its occupants to get to the pick-up point without getting stuck or running off the road.)

#### [Procedure 23 - Specific Drivers](#)

A passenger’s request for a specific driver will be denied. Having a specific driver is not necessary to afford the passenger the service provided by the transit operator.

#### [Procedure 24 - Luggage and Packages](#)

A passenger’s request for a driver to assist with luggage or packages will be denied in most instances. Such assistance is a matter for the passenger or PCA, and providing this assistance would be a fundamental alteration of the driver’s function.

Likewise, passengers are responsible for loading and unloading their belongings. Under limited circumstances the passenger may request the driver to assist with their belongings.

## Additional CCAT luggage & Package guidelines

### What You Can Bring on the Vehicle

You can bring a limited number of packages — the equivalent of two paper grocery bags (13" wide x 7" deep x 17" tall) or four plastic grocery bags, with a total weight of no more than 25 pounds. You must be able to maintain control of your packages while riding. Transporting items that cannot be secured in a safe manner can be a safety risk and are not allowed.

### What You Cannot Bring on the Vehicle

Don't bring packages that you cannot keep control of during your ride. This includes packages that are larger than the equivalent of two paper grocery bags or four plastic grocery bags, or that weigh more than 25 pounds in total. Examples of packages we do not transport: More than two pieces of luggage per rider, flammables, and uncovered glass or sharp objects.

### Luggage

Due to space limitations, each eligible CCAT customer, PCA and/or companion may take two pieces of luggage plus a carry-on bag. Operators are not able to handle any luggage, so be sure to make any necessary arrangements for assistance. Please notify the reservations agent that you will have luggage when you schedule your trip.

### Procedure 25 - Request to Avoid Specific Passengers

A passenger's request not to ride with certain passengers will be denied. As a result, one passenger may need to share the vehicle with people that he or she would rather not.



#### Procedure 26 - Navigating an Incline, or Around Obstacles

A Dial-a-Ride passenger's request for a driver to help him or her navigate an incline (e.g., a driveway or sidewalk) with the passenger's wheeled device should generally be granted.

Likewise, assistance in traversing a difficult sidewalk (e.g., one where tree roots have made the sidewalk impassible for a wheelchair) should generally be granted, as should assistance around obstacles such as construction areas between the vehicle and a door to a passenger's house or destination should generally be granted.

However, such assistance would not be provided if doing so would cause a direct threat, or leave the vehicle unattended or out of visual observation for a lengthy period of time.

#### Procedure 27 - Extreme Weather Assistance

A passenger's request to be assisted from his or her door to a vehicle during extreme weather conditions should generally be granted so long as the driver leaving the vehicle to assist would not pose a direct threat, or leave the vehicle unattended or out of visual observation for a lengthy period of time.

For example, in extreme weather (e.g., very windy or stormy conditions), a person who is blind or vision-impaired or a frail elderly person may have difficulty safely moving to and from a building.

#### Procedure 28 - Unattended Passengers

Where a passenger's request for assistance means that the driver will need to leave passengers aboard a vehicle unattended, CCAT will generally grant the request as long as accommodating the request would not leave the vehicle unattended or out of visual observation for a lengthy period of time, both of which could involve direct threats to the health or safety of the unattended passengers.

It is important to keep in mind that, just as a driver is not required to act as a PCA for a passenger making a request for assistance, so a driver is not intended to act

as a PCA for other passengers in the vehicle, such that he or she must remain in their physical presence at all times.

#### [Procedure 29 - Need for Return Trip Assistance](#)

A passenger with a disability may need assistance for a return trip when he or she did not need that assistance on the initial trip. For example, a dialysis patient may have no problem waiting at the curb for a ride to go to the dialysis center, but may well require assistance to the door on his or her return trip because of physical weakness or fatigue.

CCAT provides door-to-door service for all Dial-a-Ride trips unless doing so would create a direct threat, or leave the vehicle unattended or out of visual observation for a lengthy period of time.

#### [Procedure 30 - Five-Minute Warning or Notification of Arrival Calls](#)

A passenger's request for a telephone call 5 minutes (or another reasonable interval) in advance or at time of vehicle arrival generally should be granted.

A passenger's request for a telephone call 5 minutes (or another reasonable interval) in advance or at time of vehicle arrival will be granted. These calls will be originated by office staff and generated through the software system when available.

#### [Procedure 31 - Hand-Carrying](#)

Except in emergency situations, a passenger's request for a driver to lift the passenger out of his or her mobility device will be denied because of the safety, dignity, and privacy issues implicated by hand-carrying a passenger.

Hand-carrying a passenger is also a PCA-type service which is outside the scope of driver duties, and hence it would be a fundamental alteration of the driver's function to provide PCA services of this kind.