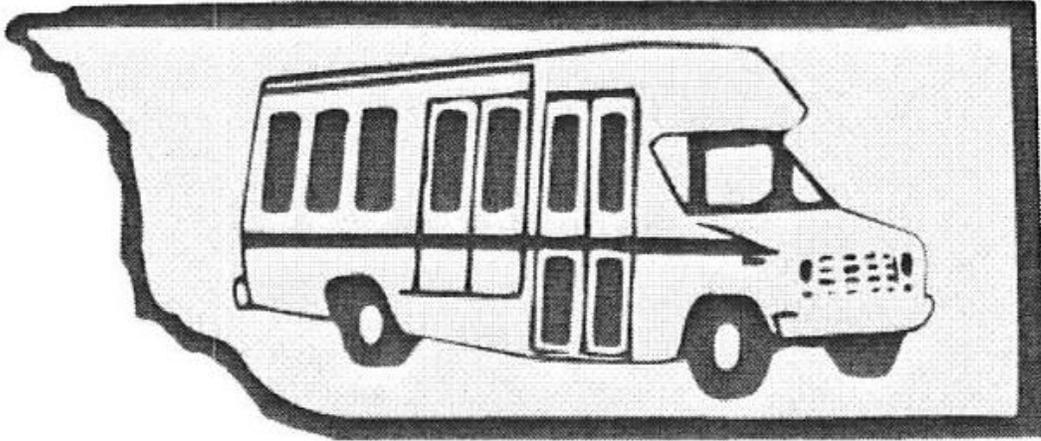


PASSENGER ADA POLICY

The American with Disabilities Act of 1990



Jo Daviess County Transit

Operated by The Workshop

710 South West Street
Galena, Illinois

815-777-8088 Direct Line

866-648-5901 Toll Free

800-526-0857 TTY & Voice User

Disability means, 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 impairment; or being regarded as having such an impairment.

Title 49-Transportation, Part 37 Transportation Services for Individuals with Disabilities-Subpart A-General

PURPOSE STATEMENT

This policy covers ADA transportation service for persons with disabilities provided by Jo Daviess County Transit (JDCT), a County Public Transportation System. The purpose of ADA service is to provide safe, reliable, and courteous service to all persons with disabilities in Jo Daviess County who are in need of public transportation assistance.

Nondiscrimination Policy:

JDCT shall not discriminate against an individual with a disability in connection with the provision of transportation service.

JDCT shall not, on the basis of disability, deny to any individual with a disability the opportunity to use JDCT's transportation services for the general public, if the individual is capable of using that service.

JDCT shall not require an individual with a disability to use designated priority seats, if the individual does not choose to use these seats.

JDCT shall not impose special charges, not authorized by 49 CFR-37 on individuals with disabilities, including individuals who use wheelchairs, for providing services required by this part or otherwise necessary to accommodate them.

JDCT shall not require that an individual with disabilities be accompanied by an attendant.

It is NOT discrimination for JDCT to refuse to provide service to an individual with disabilities because that individual engages in violent, seriously disruptive, or illegal conduct. However, JDCT shall not refuse to provide service to an individual with disabilities solely because the individual's disability results in the appearance or involuntary behavior that may offend, annoy, or inconvenience employees of JDCT or other persons.

SERVICE TYPES

JDCT operates a Demand Responsive Transportation Service. A Demand Responsive system means any system of transporting individuals that is not a fixed route system.

JDCT drivers shall provide passengers with assistance during boarding and disembarking transit vehicles, if requested to do so. If it is determined that a passenger is unable to safely get to or from a transit vehicle, the driver shall provide assistance in the absence of a personal care attendant.

Drivers shall not escort passengers beyond the lobby of buildings, such as a doctor's office. Also, passengers are collected at the lobby or main door and not at specific offices.

Reasonable accommodations shall be made in an effort to assist and provide transportation to all passengers.

Drivers are strictly prohibited from entering a passenger's home or private residence under any circumstances, unless for cause and only when they receive approval to do so from Dispatch.

MAINTENANCE

All JDCT drivers are required to include in their pre-trip inspection, a check of all lifts, ramps, inside and outside step lighting, interior lighting, wheelchair securement devices, and radio equipment. Any lift, ramp, radio, or other equipment not operating properly must be reported to the dispatcher immediately.

If a back-up vehicle is available, the vehicle must be immediately removed from service until the problem is corrected, if a back-up vehicle is not available, the vehicle may only be used to pick up passengers that do not need the use of the lift or ramp. The vehicle must be repaired within five (5) operating days.

In the event that a lift becomes inoperable while on route, the driver should call dispatch, so a replacement vehicle can be dispatched, if available and operate the lift manually so as to not disrupt service.

GENERAL TRAINING

JDCT shall ensure that all personnel are trained to proficiency, as appropriate to their duties, so that they operate vehicles and equipment safely and are able to properly assist and treat individuals with disabilities who use the service, in a respectful and courteous way, with appropriate attention to the difference among individuals with disabilities.

All JDCT drivers are required to receive training that includes hands on instruction in the operation of each type of lift, ramp, and securement equipment. The training includes how to operate the lift manually, so if the need arises, the driver will be prepared to accommodate passengers.

All JDCT drivers are required to be trained in passenger assistance, emergency procedures, and proper treatment of persons with disabilities and the elderly.

MOBILITY DEVICES

A mobility device is any item that enables the person to accomplish something that without it, may be difficult or impossible. Common mobility devices JDCT will transport include manual wheelchairs, power chairs, segways, walkers, canes, and crutches.

JDCT will carry any type of manual or power wheelchair (and other mobility devices) as long as the lift can safely accommodate the size and weight of the wheelchair and its user and there is space for the wheelchair on the vehicle.

LIFT & RAMP USE

Drivers shall provide assistance upon request or as necessary with lifts, ramps, and securement systems.

A wheelchair lift will be deployed at any designated stop if such deployment is necessary or requested by a passenger, unless the wheelchair lift cannot be deployed because it would be damaged if deployed or a temporary condition precludes the safe use of the lift.

JDCT drivers are to load wheelchair passengers onto lifts with the passenger facing away from the vehicle. However, in the event that a passenger insists they be loaded onto the lift facing the vehicle, JDCT will not refuse service, but the driver must notify Dispatch of the event.

On ramps that are deployed at the sidewalk level, the passenger may board either forward or backward at their preference. If the ramp is deployed at street level with no sidewalk and the ramp is on an incline, the driver is to maintain full control of the person and the wheelchair. The wheelchair should be pushed up the ramp and backed down the ramp. This is to ensure that the passenger does not tip or fall out of their wheelchair going up or down the ramp.

JDCT shall allow individuals not using a wheelchair who may have difficulty boarding or disembarking a transit vehicle to use lifts and ramps to board transit vehicles upon request. This service will be offered if the driver notices someone having difficulty climbing the steps or upon request.

The only refusals to a passenger using the lift or ramp to board the vehicle shall be:

- The lift/ramp cannot be deployed at the stop because of the surrounding area
- The lift/ramp will be damaged if it is deployed at the stop

Reasonable accommodations shall be made by the driver to board passengers at a better location nearby.

SECUREMENT

It is the policy of JDCT to secure wheelchairs.

Wheelchair users will be assisted with transferring to a regular seat if a wheelchair cannot be properly secured. JDCT shall not require that passengers using wheelchairs transfer to a regular seat, but drivers may advise the passenger that transferring to a regular seat is allowable.

Wheelchair users will be situated in designated securement points in the vehicle, which provides a four-point attachment system.

We also require all passengers, including those transported in wheelchairs, to wear seatbelts. We require passengers using wheelchairs to wear both a lap seatbelt and a shoulder harness. Seatbelt extensions are available in the vehicles if needed.

When necessary or upon request, JDCT drivers shall assist an individual with a disability with the use of the seatbelts and securement system, lifts, and ramps.

OTHER SERVICE REQUIREMENTS

Passengers with disabilities shall be allowed adequate time to complete boarding or alighting the vehicle. Drivers are required to offer assistance to passengers as needed or requested.

JDCT shall not require an individual with a disability to use designated priority seats. However, if the priority seat is taken by a non-elderly or non-disabled passenger, JDCT drivers may request that the seat be vacated for an elderly or disabled passenger.

Passengers with disabilities shall be allowed to travel with a respirator or portable oxygen supply. The respirator or oxygen tank must be secured on board the vehicle. Persons needing such service must notify the dispatcher at the time a ride appointment is made, so that adequate time for boarding and disembarking can be scheduled.

SERVICE ANIMALS

JDCT shall permit an individual with a disability to board JDCT vehicles with a service animal. ***A service animal is defined as 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.***

Dogs shall be allowed on the vehicle without a muzzle.

Drivers may not insist on proof that the animal is a service animal. If a driver is not certain an animal is a service animal, the driver may ask the person who has the animal what service the animal has been trained to do.

Drivers are not permitted to ask passengers about their disability.

Drivers must make sure there is adequate space for the animal near its owner on the vehicle and out of the aisle. It will be the responsibility of the owner to ensure the animal remains out of the aisle.

JDCT reserves the right to exclude any animal, including a service animal for JDCT vehicles when the animal's behavior poses a threat to the health or safety of others. Drivers cannot exclude a service dog from riding for barking. The animal must show aggressive behavior in order to be excluded.

If the animal is disruptive and uncontrollable on the vehicle, it may be excluded.

Drivers must always call Dispatch for assistance for all unusual occurrences.

COMPANIONS & PERSONAL CARE ATTENDANTS

JDCT will provide service to Personal Care Attendants and/or companions traveling with an eligible passenger.

Disabled passengers are allowed one (1) Personal Care Attendant (PCA) to ride at no charge.

A Personal Care Attendant is anyone designated or employed specifically to help an eligible individual to meet his or her personal needs.

Companion riders may accompany riders with disabilities. Companion riders must pay the appropriate fare. If someone does not indicate the use of a PCA at the time the reservation is made, then anyone accompanying a passenger will be regarded as a companion rider.

ENFORCEMENT OF YOUR ADA RIGHTS

If you think your transit agency is not in compliance with the ADA, there are several avenues available for enforcement. You may pursue them in any order, you are not required to use them in the order listed below.

1. *File a local complaint*

You can file a complaint with your local transit agency and/or otherwise communicate with local agency staff. Transit agencies are required to have procedures to receive, resolve, maintain records or, and report on complaints. It is best to file the complaint quickly as soon as possible after the problem, and keep a copy of it. Include as many details as possible (who, what, when, where, and so on). Find the transit agency Customer Service department or ADA Coordinator to learn how to submit the complaint. Transit agencies usually have one or more of the following options for filing complaints: By email, through their websites, by telephone, and/or by postal mail. If the issue remains unresolved after allowing a reasonable amount of time for a response, you can file a complaint with the Federal Transit Administration in Washington, D.C. and show your local complaint records (also see File an ADA Complaint in Washington, D.C. below)

2. *Engage in local advocacy*

You can also engage in a variety of efforts to advocate for changes by your local transit agency. You may be able to obtain assistance from local, state, and national disability rights organizations, including:

- Your state's Protection and Advocacy Agency, which you can find by going to <http://ndm.org/> and scrolling down to the "Get Help in Your State" section, or by calling 202-408-9514 or by TTY 202-408-9521
- Your local center for independent living (CIL), which you can find by going to www.ilru.org/html/publications/directory/index.html or calling 713-520-0232 (Voice/TTY). You can also find CIL's by going to www.ncil.org/directory.html.

In some cities, the disability community and the transit agency have succeeded in building a collaborative relationship in which they work to improve transit service for people with disabilities.

3. File an ADA Complaint in Washington, D.C.

You can file a complaint with the Office of Civil Rights of the Federal Transit Administration (FTA) in Washington, D.C., by:

- Filling out and sending the Rider Complaint Form at www.fta.dot.gov/civilrights/ada/civil_rights_3889.html
- Going to the FTA ADA website at www.fta.dog.gov/ada and selecting ADA Technical Assistance/File an ADA Complaint with the FTA
- Sending a complete letter to:
Director
FTA Office of Civil Rights
East Building-5th Floor, TCR
1200 New Jersey Ave, SE
Washington, D.C. 20590

Include as many details as possible (who, what, when, where, and so forth), including a record of ongoing ADA violations you believe have occurred. As the FTA Office of Civil Rights states on the Rider Complaint Form:

- You should include specific details such as names, dates, times, route numbers, witnesses, and any other information that would assist us in our investigation of your allegations. Please also provide any other documentation that is relevant to this complaint.

4. File a lawsuit

The other method of enforcing the ADA is to file a lawsuit.

OTHER RESOURCES

You will find many other resources on the FTA ADA website at www.fta.dot.gov/ada. You may also contact the FTA Office of Civil Rights by email at FTA.ADAAssistance@dot.gov or by telephone at 202-366-4018 or 888-446-4511 or by TTY at 800-877-8339.

In addition to providing technical assistance via telephone and email, the FTA Office of Civil Rights conducts ADA compliance reviews of several transit agencies every year. These are posted on the FTA ADA website at www.fta.dot.gov/civilrights.ada.civil_rights_3899.html.

Additional resources may be available from a variety of local, state, and national disability rights organizations.

Accessible formats of this ADA policy are available upon request, including large print, Braille, audiotape, and computer disk. Accessible formats are available by contacting the office of Jo Daviess County Transit, 710 S. West St., Galena, IL 61036