

**AMERICANS WITH DISABILITY ACT POLICY
DUNKLIN COUNTY TRANSIT SERVICE, INC.**

Goal

It is the goal of Dunklin County Transit Service, Inc., through its (demand response) rural public transit service, to design, implement and maintain an efficient and effective transportation system for persons with disabilities. Dunklin County Transit Service, Inc. works to ensure nondiscriminatory transportation in support of the Federal Transit Administration's mission to enhance the social and economic quality of life for all Americans.

Policy

It is the policy of Dunklin County Transit Service, Inc. to abide by all provisions of the Americans with Disabilities Act (ADA) of 1990, Section 504 of the Rehabilitation Act of 1973 and US Department of Transportation (DOT) implementation regulation found at 49 CFR Parts 27, 37 and 38 as amended, in the delivery of transit services that are open to the public and prohibits discrimination on the basis of disability and sets specific requirements that transit agencies must follow.

ADA Requirements

Equivalent Service

Dunklin County Transit Service, Inc. provides demand response rural public transportation and provides equivalent service to individuals with disabilities, that is consistent with DOT ADA 49 CFR Part 37.77. This transportation will be provided in the most integrated setting appropriate to the needs of the individual and will be equivalent to the service provided other individuals with respect to: Response time; Donations; Geographic area of service; Hours and days of service; Restrictions or priorities based on the trip purpose; Availability of information and reservations capability; Any constraints on capacity or availability.

General Service Requirement

A. Training

Dunklin County Transit Service, Inc. shall ensure that personnel are trained to proficiency, as appropriate to their duties, so that they operate vehicles and equipment safely and properly assist and treat individuals with disabilities who use the service in a respectful and courteous way, with appropriate attention to the differences among individuals with disabilities.

B. Service Animals

Dunklin County Transit Service, Inc. shall permit service animals to accompany individuals with disabilities in vehicles and facilities. Under the Americans with Disabilities Act of 1990,

a service animal is defined as “any guide dog, signal dog, or other animal that is individually trained to do work or perform tasks for an individual with a disability, including, but not limited to, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items”.
49CFR37.3

Control of the service animal is the responsibility of the animals’ partner. Any animal out of control will not be transported. If an animal’s behavior creates a hazard or direct threat, the accountability for damages or injuries shall remain with the person responsible for the animal. Service animals should sit or lie on the floor. Animals should not occupy a passenger seat, and should not block the passenger aisle.

C. Transporting of Wheelchairs

Wheelchair Definition. A wheelchair is defined in Section 37.3 as a “mobility aid belonging to any class of three or more wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered.”
Dunklin County Transit Service, Inc. will accommodate mobility devices. Three or more wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered, will be accommodated as long as the lift or ramp can accommodate the size and weight of the wheelchair and its user and there is space for the wheelchair on the vehicle. Mobility devices will not be transported if they are inconsistent with legitimate safety requirements. Individuals using powered mobility devices must be able to safely operate and maneuver the power unit when loading and unloading. If they are not able to safely maneuver the power device other options will be required, such as switching to a manual chair, or even rescheduling the transportation trip in order to secure the use of a manual chair.

D. Wheelchair Securement

Section 38.23(d) of the DOT’s ADA regulation requires all ADA compliant vehicles to have a two-part securement system: One to secure the mobility device and a seatbelt and shoulder harness for the wheelchair user (such seat belts and shoulder harnesses shall not be used in lieu of a device which secures the wheelchair or mobility aid itself.)

The securement system shall limit the movement of an occupied wheelchair or mobility aid to no more than 2 inches in any direction under normal vehicle operating conditions. 49 CFR 38(d)(5).

It is recommended that power chairs and scooters be turned to the “OFF” position once on the lift platform and while the lift is in operation.

All wheelchairs must be secured to the floor of the vehicle using the securement equipment.

E. Lift Deployment

Passengers will be permitted to use a lift or ramp to board or disembark from a vehicle at any designated stop, unless the lift or ramp can not be deployed, the lift or ramp will be damaged if it is deployed, or temporary conditions preclude the safe use of the stop by all passengers. Standees should stand in the center of the platform facing the direction of travel. If capable, the passenger should hold both handrails when on the platform.

F. Oxygen Tanks

Passengers requiring oxygen will be permitted to bring their tanks or other oxygen equipment on board the transit vehicle as long as it can be safely secured inside the vehicle.

G. Accessible Communication

Dunklin County Transit Service, Inc. is committed to providing information about its services, policies and procedures to the public in accessible formats for persons with disabilities. Dunklin County Transit Service, Inc. shall provide a TTY number (or make use of an operator-assisted RELAY service) so that persons with hearing or speech impairments may communicate with and receive information from Dunklin County Transit Service, Inc. staff.

H. Driver Responsibilities

Drivers are responsible for loading and unloading persons with disabilities. Drivers are not personal care attendants. If the passenger needs assistance they should have a personal care attendant accompany them. The attendant will ride free of charge.

Drivers are not permitted to enter a passenger's home under any circumstance.

Drivers are not permitted to maneuver a wheelchair up or down more than one step. This rule is provided for the safety of the passengers and the driver.

Drivers are not permitted to lift passengers.

Drivers will help passengers take lightweight items off the vehicle and set them on the curb. If additional assistance is required, this assistance may be rendered on a case-by-case basis.

I. Passenger Responsibilities

All passengers must be able to sit in a bus seat or wheelchair in order to be transported.

All passengers on the vehicle are required to wear seat belts to include lap and shoulder belts. Persons who, for medical reasons, are unable to wear a safety belt may request exemptions. The person must request a written verification from their physician attesting to the need for the exemption. A special notation will be placed in that rider's information file.

Dunklin County Transit Service, Inc. will deny service to any individual who engages in violent, illegal conduct.

If an passenger's physical condition or conduct is hazardous, or whose behavior is seriously disruptive and/or a direct threat to others, service will be denied.

The passenger will be notified of his/her right to appeal the denial of service and Dunklin County Transit Service, Inc. will hear the appeal as soon as reasonably possible.

This policy was approved and adopted by the Dunklin County Transit Advisory Board meeting held on Tuesday, April 26th, 2016.