

TRANSIT MANAGEMENT OF SPARTANBURG

ADA POLICIES AND PROCEDURES



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A. PURPOSE

1. The policies and procedures in this manual have been drafted to ensure that persons with disabilities not be excluded from participation in, be denied the benefits of, or be subject to discrimination in any Spartanburg Regional Transit Agency (SPARTA) programs or services. [49 CFR 27.1]
2. ADA services provided by SPARTA, as governed by this manual, will comply with the requirements under the Americans with Disabilities Act of 1990 and related law found at: 42 United States Code (USC) Chapter 126, "Equal Opportunity for Individuals with Disabilities", esp., 12141-12150; 49 USC Chapter 53, "Urbanized Area Formula Grants"; 49 Code of Federal Regulations (CFR) Part 27, "Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance"; 49 CFR Part 37, "Transportation Services for Individuals with Disabilities (ADA)"; 49 CFR 38, "Americans with Disabilities Acts (ADA) Accessibility Specifications for Transportation Vehicles"; and 49 C FR Part 609, "Transportation for Elderly and Handicapped Persons". The Code of Federal Regulations can be accessed online at <http://www.gpoaccess.gov/cfr/index.html>. The United States Code can be accessed online at <http://www.gpoaccess.gov/uscode/index.html>.
3. Definitions for most terms used in this manual can be found at 49 CFR 27.5, 49 CFR 37.3, and 49 CFR 38.3. Other terms will be defined in this manual.
4. References to the laws and regulations listed in section A.2. above can be found in square brackets throughout this manual. Sections in this manual that do not carry a reference are specific to SPARTA and are neither required nor prohibited by the requirements.

B. ACCESSIBLE FORMATS

1. All information regarding SPARTA services, including information contained in this policy manual, ride guides, maps, and other documents, will be made available in the following accessible formats upon request: computer disks, taped audio cassettes, Braille, and large print. [49 CFR 37.125(b) & 49 CFR 37.167(f)]
2. All information regarding ADA paratransit service will also be available in Spanish upon request.

C. SPARTA SERVICE OVERVIEW

SPARTA provides two kinds of transit services for passengers:

1. *Fixed route* service is SPARTA service provided on a fixed schedule along a pre-established route with various stops along the route. This service is provided primarily by 35 ft. SPARTA buses that are equipped with wheelchair ramps or lifts, which may accommodate up to two wheelchairs each, and have space designated at the front of the SPARTA for people with disabilities and the elderly. SPARTA encourages all persons with disabilities to use its fixed route service. All fixed route vehicles are accessible and most stops along each fixed route are also accessible.
2. Complementary *ADA paratransit service* is service that does not operate along a fixed route or schedule and where passengers are picked up at curbs of different locations within time periods requested by the passengers. Accessible vans provide this service to origins within the service area. [49 CFR 37.129] Use of this service requires a passenger to submit an application and obtain certification. ADA Paratransit Service is complementary in the sense that it is meant to be equivalent to fixed route service and afford those with disabilities the same opportunity to use public transportation. It is not in any sense a taxi, door-to-door, or special shuttle service.

D. MAINTENANCE OF ACCESSIBLE FEATURES

1. SPARTA will maintain in operative condition those features – including lifts, securement devices, signage, etc. – of facilities and vehicles that are required to make the vehicles and facilities readily accessible to and usable by individuals with disabilities. [49 CFR 37.161 (a)]
2. If an accessibility feature is damaged or out of order, it will be repaired promptly. [49 CFR 37.161 (b)] If the repair causes more than a temporary or isolated interruption, patrons who require use of those features while the feature is not usable will be reasonably accommodated by SPARTA. [49 CFR 37.161 (c)]
3. Newly constructed facilities, including bus shelters will be readily accessible to and usable by individuals with disabilities. [49 CFR 37]

E. DESIGNATED SEATING ON FIXED ROUTES

1. Space at the front of each fixed route SPARTA is reserved as priority seating for the elderly and disabled. SPARTA will ask persons who are not disabled or elderly to move

from these seats when they are needed by disabled or elderly patrons. [49 CFR 37.167(1)(i)]

2. There is a space in each fixed route SPARTA designated for wheelchairs. SPARTA will ask persons not in wheelchairs to move from the fold-down seats in this area when the area is needed by a wheelchair user. [49 CFR 37.167(1)(i)]

F. STOP ANNOUNCEMENTS ON FIXED ROUTES

1. SPARTA will announce all stops on its fixed route system at transfer points, major intersections, major destination points, and at other intervals sufficient to permit individuals with visual impairments or other disabilities to be oriented to their location. [49 CFR 37.167(b)(1)]
2. At stops where more than one route operates, SPARTA vehicles and /or drivers will announce the name of the route and route number so that patrons who have visual impairments or other disabilities may identify the proper vehicle to enter. [49 CFR 37.167(c)]

G. ADA DISCOUNT FARES ON FIXED ROUTES

1. All persons with disabilities who ride on the fixed route system, from 9am – 3pm Monday through Friday, and all day Saturday will pay no more than half the fare required of a typical base fare on the system. [49 USC 53 5307(d)(1)(D) & 49 CFR 609.23] [49 CFR 609 Appendix A]
2. A disabled person, for the purposes of this discount, is defined as a person “who by reason of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including any individual who is a wheelchair user or has semi-ambulatory capabilities), cannot utilize, without special facilities, planning, or design, mass transportation service or facilities as effectively as persons not so affected.” [49 CFR 609.1]
3. All disabled persons wishing to receive the discount fare must obtain an ID card from SPARTA at the SPARTA Passenger Center on 100 N. Liberty Street. [49 CFR 609 Appendix A] This card has the SPARTA logo and a picture of the passenger, along with identifying information. In order to receive the card, the passenger must present a valid Medicare card and some additional proof of identity and fill out an application. If there is another disability which may allow the reduced ADA fare, you must take Part 2 of the application to a certified physician for them to document the disability.

4. The Elderly/ADA card must be presented to the driver upon boarding a fixed route SPARTA bus in order to receive the ADA discount.
5. The following is a non-exclusive list of sources that may constitute proof of disability for the purpose of obtaining an Elderly/ADA card:
 - a. A letter on business letterhead or an official ID card from a governmental agency (such as the Social Security Administration or the Veteran's Administration) documenting either the disability or that the person is receiving benefits as a result of a disability.
 - b. An ADA ID card from another transit agency in the United States.
6. Cards will be issued immediately upon receipt and verification of materials and after a photo of the passenger is taken. SPARTA will make copies of all documents received.

H. WHEELCHAIR LIFTS, RAMPS, & SECUREMENT DEVICES

Use of Wheelchair lifts, ramps, and securement devices

1. SPARTA will transport any wheelchair on its vehicles regardless of size and weight as long as the lift and vehicle can physically accommodate them. [49 CFR 37]
2. Wheelchairs must be placed in the designated area on the vehicle where it can be secured. Wheelchairs will not be permitted to ride in any other location. [49 CFR 37.165(b) & (c)(3)]
3. If a wheelchair cannot be secured or restrained, the patron may still ride on the vehicle but he/she must remain in the designated area. [49 CFR 37.165(d)]
4. In some circumstances, SPARTA will ask a passenger using a wheelchair to transfer to a vehicle seat, although the passenger will not be required to move. [49 CFR 37.165(e)]
5. SPARTA will allow any patron who requests to board using a wheelchair lift or ramp to do so even if he/she does not use a wheelchair. [49 CFR 37.165(g)] However, lifts and ramps will not be deployed at stops where they will be damaged if deployed or there is some temporary danger that prevents safe use of that stop. [49 CFR 37.167(g)]
6. Where necessary or upon request, SPARTA personnel will assist individuals with disabilities with the use of securement devices, ramps, and lifts. [49 CFR 37.165(f)]

Maintenance of Wheelchair Lifts, Ramps, and Securement Devices

1. SPARTA has in place a system of regular and frequent maintenance checks of its wheelchair lifts and ramps to ensure operability. [49 CFR 37.163(b)]
2. Operators are required to notify supervisors immediately if a lift is inoperable for any reason so that maintenance can be applied. [49 CFR 37.163(c)]
3. If a lift or ramp becomes inoperable during service, the vehicle in which the lift or ramp is located will be removed from service, repaired, and placed in service no earlier than

the beginning of the next service day unless doing so would reduce the transportation service that SPARTA provides and there is no spare vehicle available to take the place of the one with the inoperable lift or ramp. In that case, the vehicle with the inoperable lift or ramp may stay in service for no more than three (3) days from the day on which the inoperability was discovered. [49 CFR 37.163(d) & (e)]

4. If a vehicle with an inoperable lift or ramp is operating on a route, and the headway to the next accessible vehicle on the route is more than thirty (30) minutes, SPARTA will provide alternative transportation to individuals with disabilities who are unable to use the vehicle because the lift or ramp is inoperable. [49 CFR 37.163(f)]

I. OTHER MOBILITY AIDS & EQUIPMENT

1. SPARTA will allow service animals on its vehicles and in its facilities. [49 CFR 37.167(d)]
2. SPARTA will allow any reasonable breathing aid, including portable oxygen tanks and respirators, on its vehicles. [49 CFR 37.167(h)]

J. OPERATOR TRAINING

1. All SPARTA vehicle operators and dispatchers will be trained by the Operations Manager in at least the following [49 CFR 37.173]:
 - a. Operation of wheelchair lifts, ramps, and securement devices,
 - b. Loading and unloading of passengers using mobility assistance devices,
 - c. Passenger assistance training, including passenger courtesy and understanding of physical and attitudinal barriers,
 - d. Defensive driving,
2. Drivers will be required to perform the following duties:
 - a. Assist in the securement of wheelchairs, even if this assistance also requires them to leave their seats,
 - b. Driving to the curb of the pick-up location (ADA paratransit service),
 - c. Activating the vehicle horn (ADA paratransit service),
 - d. Giving assistance in boarding and exiting,
 - e. Driving to the curb of the destination point (ADA paratransit service).
3. Drivers will be prohibited from:
 - a. Giving medication,
 - b. Operating oxygen or other life-assistance machines,
 - c. Moving wheelchairs to and from the vehicle, or helping passengers to the vehicle, beyond 10 feet from the edge of the curb (ADA paratransit service),

- d. Feeding or dressing passengers,
- e. Handling complaints,
- f. Scheduling reservations (ADA paratransit service),
- g. Carrying or handling packages.

K. ADA COMPLAINT AND COMMENDATION PROCEDURES

1. SPARTA will accept complaints, commendations, and suggestions about its ADA program in person or by phone, mail, or email.
2. The SPARTA General Manager will be responsible for dealing with complaints and commendations. Suggestions may be given to any member of the SPARTA staff. The complaints will be resolved within 30 days of the date the complaint is filed. Response to the initial complaint will be documented.
3. All complaints, commendations, and suggestions should be accompanied with the following information:
 - a. Name, address, and phone number (or person may remain anonymous),
 - b. The date and time of the incident,
 - c. Vehicle number (if applicable) and the customer service or driver name,
 - d. Description of the complaint, commendation, or suggestion.
4. For phone calls or in-person visits, SPARTA will take down as much information as possible and prepare a statement. Prior to taking action on an alleged serious infraction, the patron will be required to sign the statement and be willing to testify, if necessary, against the individual who allegedly committed the infraction.
5. SPARTA employees will not be allowed to learn the identity of any person giving a complaint.
6. Patrons will not be allowed to learn what actions, if any, are taken against SPARTA employees as a result of a commendation or complaint.
7. SPARTA will keep a log of all complaints of noncompliance with Federal ADA regulations it receives on-file for at least five (5) years. [49 CFR 27.121(b)]

Luis Gonzalez
SPARTA General Manager
P.O. Box 1607
Spartanburg, SC 29304
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L. SAFETY

1. To ensure the safety of all passengers, the following guidelines will be followed at all times:
 - a. Patrons will be encouraged to wear seat belts,
 - b. Patrons will be prohibited from playing with their restraints,
 - c. All wheelchairs will be required to be at designated locations on the vehicle,
 - d. Patrons will be prohibited from engaging the operator in conversation (small talk).
2. SPARTA will refuse service to any individual who engages in violent, seriously disruptive or illegal conduct. This does not include cases where the individual's appearance or involuntary behavior offends, annoys, or inconveniences others. [49 CFR 37.5(h)]
3. SPARTA may require the use of a personal attendant if the attendant will mitigate the illegal, violent, or disruptive conduct.

M. ADA PARATRANSIT SERVICE PARAMETERS

General

1. Where persons with disabilities cannot use the fixed route service because they fall into one of the eligibility categories of section N., they will be provided complementary ADA paratransit service. This service will be comparable to the service provided on fixed routes. [49 CFR 37.121(a)]
2. For purposes of eligibility for ADA paratransit service, a "disability" is a physical or mental impairment that substantially limits one or more of an individual's major life activities (functions such as walking, speaking, hearing, learning, or working), a record of such an impairment, or being regarded as having such an impairment. [49 CFR 37.3] Impairment can be a physical, mental, or physiological disorder or condition including, but not limited to, mental retardation, cerebral palsy, multiple sclerosis, cancer, anatomical loss affecting the musculoskeletal system, and emotional illness. [49 CFR 37.3] There are many other conditions that, under definition, would qualify as disabilities.
3. ADA paratransit service performed by Spartanburg Regional Healthcare System (SRHS) will be provided on a next day basis: trips must be scheduled at least one business day in advance. [49 CFR 37.131(b)]

Hours of Service

ADA paratransit service hours will be the same as hours and days of operation for fixed route services. [49 CFR 37.131(e)]

Service Area

1. ADA paratransit service will be provided for origins and destinations only within the service area. The extent of this service area is a width of $\frac{3}{4}$ of a mile on either side, or from the endpoint, of any SPARTA fixed route within Spartanburg. [49 CFR 37.131(a)(1)(i) & (a)(3)]

Fares

1. Fares for one-way ADA paratransit trips will never exceed twice the amount of a regular one-way fixed route fare for a trip of similar length at a similar time of day, including premium charges and transfers. [49 CFR 37.131©]
2. The fare for guests will be the same as the fare for certified patrons. [49 CFR 37.131(c)(2)]
3. Personal care attendants will travel free. [49 CFR 37.131(c)(3)]
4. Fares may be adjusted periodically and reviewed.

Trip Restrictions

1. There will be no restrictions or priorities based on trip purpose. [49 CFR 37.131(d)]
2. There will be no limitations on service based on capacity constraints. [49 CFR 37.131(f)]
 - a. Restrictions on the number of trips an individual can take, [49 CFR 37.131(f)(1)]
 - b. Waiting lists for access to service, [49 CFR 37.131(f)(2)]
 - c. Any operational pattern or practice that significantly limits service availability, such as substantial numbers of significantly untimely pickups for initial or return trips, substantial numbers of trip denials or missed trips, or substantial numbers of trips with excessive trip lengths. [49 CFR 37.131(f)(i)(A)-(C)]
 - I. A trip denial (or denial of service) occurs whenever a patron attempts to schedule a trip according to the procedures outlined in this policy manual, but SRHS is unable to schedule that trip within one hour before or one hour after the desired time, even if the patron agrees to schedule some other trip time beyond that two-hour window.
 - II. An excessive trip length is any trip that lasts over 90 minutes (1.5 hour) from pick up to drop off.
 - III. A missed trip occurs when SRHS fails to pick up a passenger for a scheduled trip.

- IV. If SRHS picks up a passenger earlier than fifteen (15) minutes before the scheduled pick up time or later than fifteen (15) minutes after scheduled pick up time, it will log the trip as an untimely (early or late) pick up.
 - V. SRHS will keep daily logs of all trip denials, excessive trip lengths, untimely pickups, and missed trips in order to prevent any limitations of service availability. Monthly reports will be reviewed by the SPARTA Director.
- d. Operational problems attributable to causes beyond SRHS's control (such as bad weather or unsafe traffic conditions) shall not be a basis for determining that the kind of pattern or practice mentioned in c. immediately above exists. [49 CFR 37.131(f)(ii)]

N. ADA PARATRANSIT ELIGIBILITY CRITERIA

1. To be eligible for ADA paratransit service, a patron must fall under at least one of the following eligibility categories [49CFR 37.123(e)]:
 - a. Any individual with a disability who is unable, as a result of a physical or mental impairment (including a vision impairment), and without the assistance of another individual (except the operator of a wheelchair lift or other boarding assistance device), to board, ride, or disembark from any vehicle on the system which is readily accessible to and usable by individuals with disabilities. [49 CFR 37.123(e)(1)]
 - b. Any individual with a disability who needs the assistance of a wheelchair lift or other boarding device and is able, with such assistance, to board, ride, and disembark from any vehicle which is readily accessible to and usable by individuals with disabilities if the individual wants to travel on a route on the system during the hours of operation of the system at a time, or within a reasonable period of such time, when such a vehicle is not being used to provide designated public transportation on the route. [49CFR 37.123(e)(2)]
 - l. An individual is eligible under this paragraph with respect to travel on an otherwise accessible route on which the boarding or disembarking location which the individual would use is one at which boarding or disembarking from the vehicle is precluded because the vehicle wheelchair lift or ramp cannot be deployed, the lift or ramp will be damaged if it is deployed, or temporary conditions at the stop, not under the control of the entity, preclude the safe use of the stop by all passengers. [49 CFR 37.123(e)(2)(i) & 49 CFR 37.167(g)]

- II. An individual using a wheelchair is eligible under this paragraph if the individual's wheelchair cannot be accommodated on an existing vehicle.....even if that vehicle is accessible to other individuals with disabilities and their mobility chairs. [49 CFR 37.123(e)(2)(ii)]
- c. Any individual with a disability who has a specific impairment-related condition which prevents such an individual from traveling to a boarding location or from a disembarking location on such a system. [49 CFR 37.123(e)(3)]
- I. Only a specific impairment-related condition which prevents the individual from traveling to a boarding location or from a disembarking location is a basis for eligibility under his paragraph. A condition which makes traveling to a boarding location more difficult for a person with a specific impairment-related condition than for an individual who does not have the condition, but does not prevent the travel, is not a basis for eligibility under this paragraph. [49 CFR 37.123(e)(3)(i)]
 - II. Architectural barriers not under the control of the public entity providing fixed route service and environmental barriers (e.g. distance, terrain, weather) do not, standing alone, form a basis for eligibility under this paragraph. The interaction of such barriers with an individual's specific impairment-related condition may form a basis for eligibility under this paragraph, if the effect is to prevent the individual from traveling to a boarding location or from a disembarking location. [49 CFR 37.123(e)(3)(ii)]
2. Eligibility may vary on a trip by trip basis: in some cases, an individual may meet the eligibility criteria for some trips and not for others. [49 CFR 37.123(b) & (c)] The following eligibility types reflect that distinction:
- I. Unconditionally Eligible: Patron is eligible to use ADA paratransit service for all trips.
 - II. Conditionally Eligible: Patron is eligible to use ADA paratransit service only for some trips and can use the fixed route system for other trips.
 - III. Temporarily Eligible: Patron has a short-term disability that allows him/her to use ADA paratransit service for a temporary basis; may be unconditional or conditional.

3. Eligibility shall not be based solely on a medical diagnosis of disability. Eligibility shall be based on the ability of the patron to use available fixed route service as described in the criteria above. [Interpretation of 49 CFR 37.123(e)]

O. APPLYING FOR ADA PARATRANSIT SERVICE

1. The application used to determine eligibility will be the *SPARTA ADA Paratransit Eligibility Application*.
2. The application will contain questions to determine the patron's eligibility under section N of this policy to use ADA paratransit service. [49 CFR 37.125(a)]

APPLICATION PROCESS

1. The patron will be allowed to make a request for an application in person, by mail, by fax, by phone, or via email.
2. SPARTA will respond to the request for an application within seven (7) working days of the date of receipt of the letter or fax and immediately for in-person requests and phone or email messages.
3. The patron will receive written or oral instructions for completion of the application with every request.
4. There will be no time limit for submission of the application.
5. Applications will be accepted via mail or in-person.
6. All applications will be thoroughly reviewed by SPARTA and a written determination of eligibility will be made within 21 days following the application submission. [49 CFR 37.125(d)]
7. To persons who are found eligible, SPARTA will send a letter that includes the following information [49 CFR 37.125(e)]:
 - a. Statement that the individual is "ADA Paratransit Eligible",
 - b. Name of the eligible individual,
 - c. SPARTA logo and contact information,
 - d. Phone number of SPARTA,
 - e. Expiration date for eligibility,
 - f. Conditions or limitations on the individual's eligibility, including the use of a personal care attendant.
8. To persons who are found ineligible, SPARTA will send reasons for a finding of ineligibility via certified letter. [49 CFR 37.125(d)] SPARTA will include a description of the application appeals process with any finding of ineligibility.

9. If SPARTA has not made a decision on eligibility within 21 days of receipt of the application, the patron may use ADA paratransit service starting on the 22nd day until a determination is made. [49 CFR 37.125(c)]
10. If a patron is found ADA paratransit eligible, no further action will be required. The patron will become a certified user of the service and can immediately begin to schedule trips.
11. If the patron is found ineligible he or she has the right to appeal to SPARTA.

APPLICATION APPEALS PROCESS

1. Any person who is determined to be ineligible for ADA paratransit service will be allowed to appeal, in writing, within 60 days of the date of the ineligibility letter, to [49 CFR 37.125(g)(1)]:

ADA Paratransit Eligibility Appeal

Spartanburg Area Regional Transit Agency

P.O. Box 1607

Spartanburg, SC 29304

(864) 595-2722 (fax)

The time limit for appeals will be based on the date of receipt of the letter stating the reasons for a finding of ineligibility.

2. The individual should request an appeal in writing by stating that the decision not to certify was in error and giving reasons for this statement. He/she may also submit new evidence for eligibility. Immediately upon receipt of such an appeal, SPARTA management will set a date for the hearing of the appeal.
3. The date for the hearing of the appeal will be no later than twenty-one (21) days after the postmark date of the letter requesting the appeal.
4. Upon request, SPARTA will provide the appellant transportation to and from the hearing.
5. SPARTA will offer the individual who was denied eligibility every opportunity to present his/her case and receive and enter into the record every relevant piece of evidence and/or testimony from any person who can support him/her.

6. Appeals will be heard by SPARTA. The persons who handle the appeal will be different than the person who made the initial determination of eligibility/ineligibility. The original reviewers of the application will not in any way influence the appeals process. [49 CFR 37.125(g)(2)]
7. In all cases, determinations will be made in writing and full documentation will be retained.
8. SPARTA will make a final determination on the appeal as soon as possible after the hearing of the appeal. If after 30 days there has been no decision on the appeal, the appellant shall receive eligibility and may use ADA paratransit service until the resolution of the appeal. [49 CFR 37.125(g)(3)]

P. ADA PARATRANSIT CERTIFICATION RENEWAL

1. SPARTA will re-certify individuals who use its ADA paratransit service every three (3) years. [49 CFR 37.125(f)]
2. The re-certification application will be identical to the *SPARTA ADA Paratransit Eligibility Application*.
3. To ensure that the re-certification process is efficient, every patron must report changes in his/her condition or personal information to SPARTA immediately.
4. Every certified patron will be mailed instructions and a renewal application that must be filled out and returned within one (1) month of receipt.
5. Eligibility guidelines for re-certification will be the same as those used for initial certification.
6. If after one (1) month, a patron has not returned the re-certification application, SPARTA will attempt to contact the patron to determine the cause for failure to submit the application. The patron will be granted a two (2) week extension if requested.
7. Those persons found ineligible under the re-certification process will cease to receive ADA paratransit service.

Q. VISITOR USE OF ADA PARATRANSIT SERVICE

1. SPARTA will grant eligibility for a period of 21 days, to any visitor with disabilities who does not reside in Spartanburg, South Carolina, on either of two conditions [49 CFR 37.127]:
 - a. The visitor presents documentation that he/she meets the ADA eligibility guidelines for ADA paratransit service from another jurisdiction. This documentation may include, but is not limited to, presentation of a valid ADA

paratransit ID card or determination letter from any other transit provider. [49 CFR 37.127(c)]

- b. The visitor provides proof of residency in another jurisdiction, documentation indicating a disability that prevents him/her from using the fixed route system and certification that he/she is unable to use the SPARTA fixed route system. [49 CFR 37.127(d)]
2. All visitors who provide the necessary documentation will be provided the same service as any other ADA paratransit client.
 3. SPARTA will require visitors to make a full application for SPARTA ADA paratransit service for any stay beyond 21 days (contiguous or not) in any given calendar year. [49 CFR 37.127(e)]

R. COMPANIONS ON PARATRANSIT VEHICLES

SPARTA will allow patrons to bring at least one (1) companion, including a personal care attendant, on their trips. [49CFR 37.123(f)]

PERSONAL CARE ATTENDANTS

1. Personal care attendants are individuals designated or specifically employed to help patrons with their personal needs.
2. Persons with disabilities will not be required to have personal care attendants in order to use SPARTA services or programs. [49 CFR 37.5(e)]
3. Patrons will be encouraged to use personal care attendants in cases where patrons have difficulty getting to at least 10 feet within SPARTA.
4. If a patron is accompanied by a personal care attendant, the patron may also bring one (1) guest. Any other guests may accompany the patron only on a space-available basis. [49 CFR 37.123(f)(1)(i)]

GUESTS

1. One (1) guest (who is not a personal care attendant), such as a family member or friend, may accompany a patron on his/her trip. [49 CFR 37.123(f)(1)(ii)]
2. Additional guests may accompany the patron only on a space-available basis and so long as service is not denied to other individuals eligible for ADA paratransit service. [49 CFR 37.123(f)(2)]
3. Both guests and personal attendants must be picked up and dropped off at the same location as the client with whom they are traveling. [49 CFR 37.123(f)(3)]

S. SCHEDULING ADA PARATRANSIT TRANSPORTATION

1. SRHS will accept trip requests, or appointments, from one (1) day to seven (7) days in advance. [49 CFR 37.131(b) & (b)(4)] Trip requests that are not made by 5 PM at least one (1) day before the scheduled trip date (same date trips) are not guaranteed and will be rarely granted.
2. Reservations will be taken up to 5:00pm and on any day prior to day of service. For answering machine requests, SRHS will call as soon as possible to verify the request.
3. Trips will be scheduled to begin no more than one (1) hour before or after the individual's desired departure time. [49 CFR 37.131(b)(2)]
4. To ensure that timely service is provided to all passengers, patrons must remain at their drop-off locations at least one (1) hour before they are picked up again. Pick-ups cannot be scheduled earlier than that time.

PHONE PROCEDURES

1. SRHS will request the following information when accepting a trip request:
 - a. Patron name,
 - b. Complete address of pick-up point,
 - c. Companion or guest name, if applicable,
 - d. Telephone number, or a number where the patron can be reached,
 - e. The date of requested pick-up,
 - f. The time of requested pick-up,
 - g. Destination address (or location name),
 - h. The time of appointment (medical, etc.), if applicable,
 - i. Return time, if applicable.
2. Patrons will be allowed to schedule as many trips as they wish during any one call, time permitting.

T. ADA PARATRANSIT RESPONSE TIME & CANCELLATIONS

1. Passengers may be picked up as early as 15 minutes before or as late as 15 minutes after their scheduled pick-up time.
2. Patrons will be required to begin their approach to the vehicle within five (5) minutes of its arrival at the pick-up point. [49 CFR 37.167(i)]
3. Cancellations will be required at least 60 minutes before the scheduled pick-up time.
4. The guidelines in this section will be suspended in case of inclement weather or other exigent circumstances.

U. ADA PARATRANSIT NO-SHOWS

1. A no-show is a user who is not at or does not appear at the pick-up vehicle within five (5) minutes of its arrival at a scheduled pick-up point; or a user who fails to notify SPARTA at least 60 minutes in advance of his/her intent to cancel a scheduled trip.
2. Cases where trips are missed because of circumstances beyond the patron's control are not no-shows. [49 CFR 37.125(h)(1)]
3. No-shows will be subject to the disciplinary policy described in the W of this policy manual. [49 CFR 37.125(h)]

V. ADA PARATRANSIT SUBSCRIPTION SERVICE

1. Subscription service is defined as a block of scheduled pick-up times that occur on the same days at the same hours over a period of time. Educational and work trips that occur on a daily basis are examples of this type of service.
2. Subscription service may not take up more than 50 percent of the number of trips available at a given time of day unless there is an excess of non-subscription trips for work, school, and recurring medical treatments (e.g., dialysis). In addition, SPARTA will keep a waiting list for all patrons who wish to use subscription service. [49 CFR 37.133(b) & (c)]
3. Subscriptions must be renewed at the time of re-certification (every three (3) years).

W. ADA PARATRANSIT DISCIPLINARY POLICY

Suspension of Service

Riders must not engage in activities or conduct resulting in misuse of the system, or unnecessarily reserve and/or use space that could otherwise go to people who need service.

Examples of misuse include, but are not limited to be:

- No Shows
- Engaging behavior that is deemed disruptive
- Falsifying reasons for a ride
- Falsifying identification (misuse of ADA service)
- Failure to pay a fare

All incidents of the above-mentioned violations will be reported and documented by SRHS staff and will be considered infractions. Any Rider who schedules twenty or more trips per month faces suspension when 25% of rides and three (3) infractions occur in a thirty-day period and/or exceed 10% of total rides scheduled on a rolling 12-month calendar.

- First offense will result in a written warning
- Second offense will result in up to a 10-day suspension of service
- Third offense will result in up to a 30-day suspension of service

The Rider will receive a written notification of the infractions and warning and/or suspension action. If a suspension of service is given, appeals process information and forms will be included.

Riders who appeal a proposed suspension may continue to schedule and receive rides pending a decision of the appeal. Should the appeal be denied, the suspension will be imposed effective the date to be determined by SPARTA staff.

Service Suspension for Violent, Seriously Disruptive and/or Illegal Conduct

Service will immediately be suspended up to 30 days or until an appeal hearing is held for Riders who engage in violent, seriously disruptive or illegal conduct.

Those actions included, but not limited to, are:

- threats of physical harm to other passengers, Operators or other service personnel
- physical assault or battery on Operators or other passengers
- verbal abuse, intimidation or altercation with Operators or other passengers
- unlawful harassment of the Operator and, or other passengers, including but not limited to unwelcome verbal, non verbal or physical behavior having sexual or racial connotations
- unauthorized use of or willful damage to vehicle equipment
- repeatedly violating riding rules, including smoking on the vehicle, standing while the vehicle is in motion, eating or drinking on the vehicle without valid medical reason, defacing equipment or refusing to comply with other service requirements specified in the policies included in this document
- any other criminal conduct defined in and/or prohibited by law

Such behavior may be reported to the law enforcement agency in whose jurisdiction the incident occurred. A SPARTA staff member will contact the Rider to investigate the reported situation or incident. If SPARTA determines the Rider's behavior to be violent, seriously disruptive or illegal, suspension of the Rider will continue for the remainder of the suspension period and the Rider will receive by mail a written notice with a detailed explanation of the reasons for the suspension.

Disruptive behavior, which is determined to be due to a disability of the Rider, may not result in suspension. If it is determined, that the Rider's behavior poses a significant, potential threat of harm to other passengers or the SRHS Operator, SPARTA may require the Rider to travel with a Personal Care Assistant (PCA). If such disruptive behavior continues and the required PCA is unable to prevent further instances of such behavior so that the Rider continues to present a potential safety problem, service for the Rider may be discontinued.

All disciplinary actions will take mitigating factors, such as the weather, vehicle problems, and other circumstances, into account.

DISCIPLINARY ACTIONS APPEALS PROCESS

1. Any persons who has been disciplined by SPARTA may appeal the disciplinary action in writing, within 60 days, to: [49 CFR 37.125(h)(3)]

ADA Paratransit Disciplinary Action Appeal

Spartanburg Area Regional Transit Agency

P.O. Box 1607

Spartanburg, SC 29304

(864) 595-2722 FAX

2. The time limit for appeals will be based on the date of receipt of the letter stating the disciplinary action.
3. The individual should provide evidence in writing that the disciplinary action was in error. Immediately upon receipt of such an appeal, SPARTA will set a date for the hearing of the appeal.
4. The date for the hearing of the appeal will be as soon as possible after the receipt date of the letter requesting the appeal.
5. Upon request, SPARTA will provide the appellant transportation to and from the hearing.
6. SPARTA will offer the individual who was disciplined every opportunity to present his/her case and receive and enter into the record every relevant piece of evidence and/or testimony from any person who can support him/her.
7. Appeals will be heard by the persons designated by the SPARTA and one (1) SPARTA staff member. This group will not include any person involved in handing down the disciplinary action.

8. In all cases, determinations will be made in writing and full documentation will be retained.
9. SPARTA will make a final determination on the appeal as soon as possible after the appeals hearing.