

## **ADA** **Americans Disabilities Act**

### **Background**

The ADA prohibits discrimination on the basis of disability in employment, State and local government, public accommodations, commercial facilities, transportation, and telecommunications. It also applies to the United States Congress. To be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. The ADA does not specifically name all of the impairments that are covered.

### **ADA Title II: State and Local Government Activities**

Title II covers all activities of State and local governments, regardless of the government entity's size or receipt of Federal funding. Title II requires that State and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities (e.g., public education, employment, transportation, recreation, health care, social services, courts, voting, and town meetings). State and local governments are required to follow specific architectural standards in the new construction and alteration of their buildings. They also must relocate programs or otherwise provide access in inaccessible older buildings, and communicate effectively with people who have hearing, vision, or speech disabilities. Public entities are not required to take actions that would result in undue financial and administrative burdens. They are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided. Complaints of Title II violations may be filed with the Department of Justice within 180 days of the date of discrimination. In certain situations, cases may be referred to a mediation program sponsored by the Department. The Department may bring a lawsuit where it has investigated a matter and has been unable to resolve violations.

### **Policy**

Salt River Transit will make any and all reasonable and necessary accommodations to assist and support the use of our service by the disabled community.

### **Procedure**

#### **Accessibility**

Salt River Transit will purchase and maintain vehicles that are handicapped accessible. Salt River Transit's main office location and facilities will be accessible to the disabled community.

#### **I. Accessible Vehicles**

- a. A minimum of fifty percent of the vehicles in Salt River Transit's fleet will be handicap accessible, with a goal of making the fleet one hundred percent accessible through the vehicle replacement schedule.
- b. All vehicles equipped with wheelchair lifts and/or ramps will be inspected and maintained in compliance with the manufacturer's recommendations to ensure that the equipment is safe and operational at all times.
  - i. Drivers will inspect any accessibility equipment, including seatbelts, straps, and securement devices, daily as part of their vehicle pre-trip inspection. Any defects will be reported immediately and scheduled for repair.
  - ii. The Maintenance team will perform inspections and preventative maintenance of accessibility equipment in accordance with the manufacturer's recommendations.
- c. Should an accessible vehicle be placed out of service, dispatch will be notified immediately to ensure that any scheduled accessible trips are reassigned to an accessible vehicle.

Should an accessible Fixed Route vehicle be placed out of service, a comparable available accessible Demand Response vehicle will be reassigned in its place.

1. Should a comparable replacement vehicle not be available, or if the accessibility equipment on the assigned vehicle becomes disabled, the driver will notify dispatch of any disabled passengers that cannot be accommodated. Dispatch will then dispatch a Demand Response vehicle to the passenger with an arrival time of no more than one-half hour from the time of the request.

## II. Facilities

- a. All current Transit-related facilities will be made accessible as much as possible. Any and all new facilities will be constructed to ensure that they 100% accessible.
  - i. All currently installed features and/or equipment will be maintained in a safe and working order.
  - ii. The Department of Public Works Department will maintain the equipment in accordance with the manufacturer's specifications.

## III. Passenger Assistance

- a. All Drivers will assist passengers in any reasonable and requested way in boarding and alighting their vehicle, this includes getting out of the vehicle to assist the passenger. It also includes assisting, as necessary, with the entrance or exit of a facility, as long as it does not require leaving sight of the vehicle.
- b. This assistance requirement also extends to allowing sufficient time for the passenger to board or alight.

## IV. Portable Oxygen Equipment

- a. Drivers will assist passengers who may have portable oxygen equipment.
  - i. The Driver will also properly secure the equipment prior to departure.

## V. Service Animals

- a. Drivers will permit any service animal to accompany a passenger with a disability.
  - i. Under 49 C.F.R. Section 37.3 of the DOT ADA regulations, a service animal is defined as "Any guide dog, signal dog or other animal 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 a dropped item." Service animals are not limited to dogs and do not include "emotional support" animals.
  - ii. No inquiries into the animal's training may be made other than the task(s) the animal is trained to perform, this includes requests for documentation, certification, ID card, etc. Additionally, no inquiries may be made into the individual's disability.
  - iii. A service animal may not be excluded from a bus or a transit facility unless the animal is out of control and the animal's owner does not take effective action to control it, or the animal poses a direct threat to the health or safety of others.

## VI. Training

- a. All Drivers are required to be trained every two years in PASS (Passenger Assistance, Safety, and Sensitivity).