



# Americans with Disabilities Act (ADA) Paratransit Services Handbook

## Apple Country Public Transit

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Thank you for your interest in Apple Country Public Transit (hereinafter “ACPT”) ADA Paratransit Services. The Americans with Disabilities Act (hereinafter ADA) of 1990 requires ACPT to provide equivalent public transportation to individuals that are unable to independently use our Fixed Route Bus System. Inability to utilize the system may be all the time, temporarily, or only under certain circumstances. Applicants must be picked and dropped off within the  $\frac{3}{4}$  mile Paratransit Buffer Zone. If you have a current condition that may prevent you from using ACPT, you may be eligible for ADA Paratransit Services.

Although paratransit provides a wonderful service to those in need, it does not work for everyone in every situation any more than the Fixed Route system works for everyone. Due to the nature of the shared ride system, paratransit passengers may be required to wait for pickup or arrive early at their destination(s). Flexibility is key for you as a perspective paratransit rider. As it is a shared ride service, you may have to make several stops en route to your destination. Individuals requiring direct trips to or from their destination(s) are encouraged to consider other types of transportation services.

Please refer to the ACPT ADA Application and Eligibility guide that explains the ADA Paratransit Service rules and regulations. Please read the Eligibility Guide carefully before completing your application. Please feel free to contact our office with any questions.

The Paratransit Eligibility Application is required and must be completed in full to be considered for paratransit services eligibility.

## **The ADA Paratransit Service Program**

Under Department of Transportation (hereinafter DOT) ADA regulations in 49 C.F.R. Section 37.121(a), “each public entity operating a fixed route system shall provide paratransit or other special service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed route system.” Paratransit service is by nature a shared-ride service. The standard of service is not intended to reflect that of a taxi service, which typically transports passengers directly to their destination. A paratransit trip should be comparable in length to an identical trip on the fixed route system, including the time necessary to travel to the bus stop, wait for the bus, actual riding time, transfers, and travel from the final stop to the person’s ultimate destination.

The ADA Paratransit Service program is a service of ACPT providing a safe and reliable shared-ride public transit service for eligible persons with disabilities. The program serves only locations within ¾ mile of the ACPT fixed-route system (the service area, please see map).

### **ADA Paratransit Service Contracted Provider:**

WNC Source PO Box 685  
Hendersonville, NC 28793  
828.698.8571  
[www.wncsource.org](http://www.wncsource.org)

### **Operating Hours**

Monday - Friday • 6:30 a.m. to 6:30 p.m.

### **Holidays**

New Year’s Day, MLK Jr. Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Eve Day -service ends at 5:30 PM, Christmas Day

## **Eligibility and Applications**

### **Eligibility**

The ADA paratransit service program is restricted to eligible persons under the rules of ADA. Eligible persons include, but are not limited to, persons:

- Living within the program service area (within ¾ mile of the fixed-route transit system);
- Unable to navigate the fixed-route system; and
- With disabilities (mobility, cognitive and visual) that make it impossible to travel to/from the nearest ACPT public transit stop or independently travel using the fixed-route system.

### **Application for Certification of ADA Paratransit Program Eligibility**

All applications are confidential. Persons may request an application by phone or mail or may download the form by visiting [applecountrytransit.com](http://applecountrytransit.com). Should an applicant need an application in an alternative format, please contact ACPT to request the required format. Applicants may request in-person telephone assistance to complete an application.

Application review may: (1) prove eligibility, (2) prove eligibility for some but not all trips, or (3) prove ineligibility based on a person’s capacity to use the fixed-route system. Approved applicants remain eligible for the program a specified period (temporary or up to a maximum of three (3) years). When the

period of approval ends, ACPT may request re-evaluation to determine continued eligibility. The program information contained herein refers to approved applicants as customers.

## **Reservation Requests, Trip Scheduling, and Cancellations**

### **Reservations**

Reservation requests may be made up to 30 days before, but no later than 5:00 p.m. the day before the day of travel. Customers may make a reservation request by phone on regular operating days (Monday through Friday) between the hours of 8:00 a.m. and 5:00 p.m. On weekends, customers may reserve a trip by phone by leaving the required reservation information on the answering service.

Reservation requests must include the following information:

- Name (first and last) of customer
- Day and date of trip
- Exact street address of the origin location(s) and destination location(s) that includes applicable facility name(s) and apartment, building, or suite number(s)
- Destination phone number(s)
- Type of mobility aid(s) used/traveled with
- Type of life support equipment used/traveled with
- Service animal used/traveled with
- Number of persons traveling (include yourself, any PCA, and companion)
- Time(s) desired to arrive at the destination(s)
- Time(s) desired to be picked up from the destination(s)
- Phone number for ACPT to reach the customer to discuss the reservation

Reservation requests provided through the answering service, and which are determined to be incomplete (those that do not include all of the above) will not be processed for a Monday trip.

ACPT cannot honor reservation requests or provide trips that either originate or have a destination outside the service area.

### **Trip Scheduling**

ACPT schedules trips with multiple customers, meaning paratransit customers will be sharing trips with other customers. ACPT staff may ask paratransit customers to change requested pickup times to accommodate reservation requests. ADA rules allow ACPT negotiate a revised pickup time up to one hour before or after the original requested pickup time. **Paratransit customers must be ready for pick up one (1) hour prior to a requested drop-off time.**

Program demand is heaviest between **10:00 a.m. and 12:00 a.m.** and between **3:00 p.m. and 4:30 p.m.** Scheduling trips outside the heaviest periods of demand increases the likelihood ACPT can accommodate a trip without negotiated timing. ACPT attempts to accommodate trip requests with as direct a travel route as possible. Customers requiring medication or oxygen at regular intervals should be aware that travel time could be lengthy (as much as 90 minutes) depending on travel distances.

Please, before making a reservation request ensure you have the correct destination address and the destination will be open at your requested time(s).

Travel involving more than one (1) destination requires the paratransit customer request more than one (1) trip be scheduled. Paratransit customers must schedule each trip destination as a separate trip.

A paratransit customer cannot change his/her destination once he/she has boarded the vehicle. Because paratransit is a shared ride, allowing riders to change their drop-off locations on the same

day could lead to late pickups or drop-offs for other riders.

### **Subscription Service**

Subscription service is available for regularly scheduled trips that occur at least two (2) times per week. During the reservation request, ACPT will alert the paratransit customer to the subscription status of the trips. ACPT staff establishes subscription service when either: (1) a paratransit customer requests the service, or (2) ACPT staff notes that a paratransit customer has a pattern of ridership indicative of a subscription service need and the paratransit customer agrees.

ACPT will establish the subscription service and indicate to the paratransit customer that additional reservation requests for the specified trips are unnecessary. A paratransit customer requesting a change in time, origination, or destination of trip may change subscription service eligibility.

ACPT may discontinue subscription service for a prearranged specific period under certain conditions (illness, vacation, or school break) when the paratransit customer requests the discontinuance. ACPT may reinstate the subscription service after the condition ends.

Customers can request and establish, temporarily discontinue, or cancel an established subscription service by phone. There may be a waiting list for subscription service because ADA rules limit subscription service (allowing no more than ½ of trips at any hour of any day be classified as subscription service trips).

### **Cancellations**

Paratransit customers can submit cancellations 24 hours per day by phone. Customers must cancel trips no later than two (2) hours prior to the scheduled appointment time to avoid penalties that could lead to suspension of service. Should paratransit customers receive the answering service please leave the following information to cancel a trip:

- Name (first and last)
- Day and date of trip
- Appointment destination
- Appointment times
- Indication as to intention to cancel select trips or all trips

### **Expectations of the Service**

#### **Vehicle Arrivals and Late Arrivals**

Vehicles arriving within 15 minutes before or 15 minutes after the scheduled pick-up time are on time and within the service window. The paratransit customer should be ready to depart when the vehicle arrives in this service window. Vehicles will wait no longer than **five (5) minutes** for customers (except when arriving earlier than the pickup window). Should a vehicle arrive early (before the 30-minute pickup window), customers are not required to board until 15 minutes before the scheduled time.

ACPT strives to provide on-time service; however, factors beyond control may result in a delayed pick-up. ACPT asks customers call only after the service window expires if a vehicle fails to arrive within the service window.

#### **Door-to-Door Service**

The program provides “door-to-door” service. Operators typically come to the door to notify the customer the vehicle has arrived. Some locations and/or situations may prevent the operator from leaving the vehicle. Customers who are able to wait at the curb or at the designated pick-up location are encouraged to do so whenever possible.

#### **Passenger Guidelines**

No weapons, open food or drink, profanity, eating, drinking, spitting or smoking, loud talking or music.

**Identification**

ACPT may request a customer present photo identification to verify the customer’s identity an approval for program use.

**Fares**

Cash fare must be exact change as operators cannot make change for customers. Fares should be given at the time of pick up.

<b>Table 1. Fares &amp; Rates</b>	
<b>Fare Type</b>	<b>Rate</b>
Cash Fare (one-way trip)	\$1.50
Companions (may be limited in number based on space available on the vehicle)	\$1.50
Personal Care Attendants (where a paratransit customer is certified as requiring a PCA)	Free

**Personal Care Attendants & Companions**

Personal Care Attendants (PCA) and companions may travel with a paratransit customer. ACPT certifies if a paratransit customer requires a PCA during the eligibility application process. A PCA traveling where the paratransit customer does not require a PCA travels as a companion and pays the cash fare. ACPT permits at least one (1) companion in addition to the required PCA. ACPT may permit paratransit customers to bring additional companions if vehicle capacity is available.

A paratransit customer may bring children. Children are counted among the total number of the eligible rider’s companions and may be limited. A legal guardian must sign an authorization form for the provision of transportation to children for children to board the paratransit vehicle and travel. ACPT prohibits children from riding in another individual’s lap. Children under 8 years old: (1) must be accompanied by a responsible party, and (2) must be secured in an approved child safety seat provided by ACPT (other seats may not be used) should he/she weigh less than 80 pounds. Children under the age of twelve (12) are not required to pay a fare.

Customers must indicate if PCAs and companions are traveling, and the age/weight of any children traveling, during the reservation request to ensure appropriate accommodations.

**Mobility Devices/Wheelchairs**

Program vehicles are ADA accessible. Operators will assist customers in boarding/ disembarking as needed. ACPT requires mobility devices (wheelchairs, scooters, etc.) be secured in the vehicle. ACPT requires restraint system use unless the paratransit customer presents medical certification stating he/she cannot use restraints for medical reasons. Paratransit customers should report changes in use of mobility devices within 15 days to ensure ACPT sends the proper vehicle to provide program service. ACPT cannot provide service to otherwise paratransit customers whose overall weight with a mobility device is over 600 pounds.

Customers must indicate the type of mobility device used/traveled with during the reservation request.

## **Life Support Equipment**

Paratransit customers may bring life-support equipment (respirator, portable oxygen, etc.) provided: (1) doing so does not violate hazardous materials transport regulations, and (2) the equipment fits in the vehicle along with other persons. Customers must indicate the need for life support equipment during the reservation request.

## **Service Animals**

ACPT permits service animals. Service animals must sit on the floor or on the customer's lap and may not occupy another seat during the trip. Service animals are subject to behavioral expectations. Customers must indicate the need for the service animals during the reservation request.

## **Strollers**

ACPT permits collapsible strollers for companion children. ACPT prohibits strollers that do not collapse.

## **Transporting Items**

Due to space limitations and safety concerns, a paratransit customer can transport an item or items that: (1) he/she alone can carry, (2) he/she can hold, and (3) can travel in his/her lap. A paratransit customer with an item or items that cannot meet these limitations can: (1) leave the item or items behind in order to proceed with the trip, or (2) decline the trip and remain with the item or items. ACPT prohibits PCAs and companions from carrying additional items for the customer.

Items may be transported in packages and bags. ACPT prohibits shopping carts or any type of rolling or fixed equipment to transport items.

## **Unattended Passengers**

Paratransit customers certified as unable to be left unattended (based on age, diminished mental capacity, or special request of the responsible party) may schedule trips and travel unattended; however, arrangements must be made to have an attendant meet the vehicle at each destination. The vehicle will only wait five (5) minutes for the attendant at the destination. If no one arrives, the operator will notify the dispatcher and continue on route. The dispatcher will attempt to reach the emergency contact person. If the emergency contact person cannot be reached or cannot meet the customer, the operator will return the customer to ACPT offices.

ACPT will not leave paratransit customers certified as "unable to be left unattended" without an attendant and will notify law enforcement of the failure to locate an attendant or emergency contact person so law enforcement may assist in locating a responsible party.

## **Service Operators**

### **Operators**

Operators must: (1) have clean criminal background checks, (2) pass initial and ongoing drug and alcohol screening, (3) have proper licenses, (4) have good driving records, (4) have pertinent driving experience, and (5) have familiarity with Henderson County and its roads.

Operators regularly receive training (ADA requirements, customer assistance, defensive driving, first aid, adult CPR, infant CPR, and customer sensitivity).

Operators will assist customers unable to maneuver independently from the customer's door to the dedicated paratransit vehicle provided it is safe for the operator to provide the assistance.

ACPT permits operators to:

- Maneuver manual wheelchairs if assistance is needed from the door to the paratransit vehicle and lend a steady arm as assistance to customers not in a mobility device.

ACPT prohibits operators from:

- Maneuvering electric mobility devices (i.e. electric wheelchairs or scooters)
- Maneuvering or pushing persons, equipment, or shopping carts up or down stairs, steep inclines, or driveways
- Entering residences
- Lifting or carrying paratransit customers
- Carrying packages or other items

## **Penalties, Suspension, Service Refusal, and Appeals**

### **Failure to Show (“No Show”) Penalties**

No Shows occur when a paratransit vehicle arrives at the designated pick-up location, waits the prescribed five (5) minute period, and the paratransit customer is not present to board the vehicle. No Shows may result in penalties that lead to suspension.

When a paratransit customer is a No Show for a trip, ACPT will cancel any additional trip(s) (including a return trip) scheduled for the customer for that day.

ACPT notifies paratransit customers by mail if a No Show for one of the customer’s trips results in ACPT assessing penalties. ACPT uses the following point system to determine penalties for recurring no shows:

1 point for:

- Limited Notice (Cancelled within 2 hours of the scheduled appointment time)

3 points for:

- Late Notice (Cancelled within 30 minutes of the scheduled pick-up window)

5 points for:

- Notice at Door (Cancelled by notice from the paratransit customer to the operator within the 30-minute pick-up window (15 minutes before to 15 minutes after the pick-up time)).
- No Notice (Cancelled by phone from 30 minutes prior to the beginning of the pick-up window (15 minutes before to 15 minutes after the pick-up time))
- No Show (An authorized vehicle arrives at the designated pick-up location, waits the prescribed five (5) minute period, and the paratransit customer is not present to board the vehicle; or an authorized vehicle is unable to arrive at the designated pick-up location because of inability to access a gated community)

The program requires a paratransit customer provide access to his/her gated community by supplying a means of entry (gate code, approved vehicle entry, etc.). Where a vehicle is unable to arrive at the designated pick-up because it cannot enter a gated community, or where the paratransit customer fails to meet the vehicle outside the gated community, ACPT will designate the trip as a No Show.

### **Disruptive and Abusive Behavior Suspension and Service Refusal**

Disruptive or abusive behavior endangering other persons (including ACPT operators and staff) will result in suspension. Disruptive and abusive behaviors include, but are not limited to:

- Intimidation, threats of physical harm, or verbal abuse to other persons (including ACPT operators and staff),
- Unwelcome verbal, non-verbal or physical behavior having sexual, violent, or racial connotations,
- Unlawful harassment (including any of the above),
- Violent behavior,

- Illegal behavior, and
- Unauthorized use of vehicle equipment.

Terms of suspension will be determined based on the abusive and disruptive behavior and may be permanent.

ACPT reserves the right to refuse service to anyone whose behavior is now or is historically obnoxious, offensive, intimidating, violent, disorderly, hazardous, or illegal. ACPT refuses service based on the behavior potentially resulting in the disruption of vehicle operations or serious impairment to the health and safety of others.

**Suspension for Unpaid Fares**

Repeated unpaid fares will result in suspension. ACPT assesses a minimum of six (6) points for unpaid fares per one-way trip.

**Suspension for Unattended Paratransit Customers**

Paratransit customers who must continue on a route beyond the scheduled destination because an attendant failed to be present at the destination will be subject to suspension of services. ACPT assesses a minimum of 18 points for an attendant failing to be present at the destination.

**Suspension from Penalties Assessments**

Suspension results where ACPT assesses a series of penalties within a specified period (see Table 2, below).

<b>Table 2. Penalties Assessed and Suspension of Services</b>		
<b>Points Assessed</b>	<b>Service Period (Days)</b>	<b>Suspension Period (Days)</b>
18	30	30
36	60	60
54	120	120
72	180	180

**Appealing Eligibility Determinations or Suspension of Service**

Individuals identified as ineligible and eligible persons suspended from the program are entitled to request an appeal relating to eligibility denial or the imposition of suspension. Ineligibility or suspension, under the terms of this policy, is stayed pending the outcome of the appeal [49CFR § 37.125 (h) (3)] except where appealing a suspension based illegal, seriously disruptive, or violent behaviors.

Individuals not in agreement with decisions made by ACPT regarding eligibility or suspension should request an informal administrative hearing by phone. Individuals dissatisfied after an informal administrative hearing can file a written appeal with the ADA Coordinator by phone at 828.694.6557. An appointed panel of two (2) transportation officials, two (2) medical/disability professionals, and (2) ADA paratransit customer representatives will review the circumstances for ineligibility or suspension. ACPT conducts appeals processes in accordance with ADA regulations.

Informal administrative hearings require a separation of function between those involved in the initial determination and those deciding appeals. The following is the process for an informal administrative hearing:

1. Individual requests appeal within 60 calendar days of denial of application or suspension.



2. Individual has an opportunity to speak in person to present information and arguments.
3. ACPT will issue written notification of the appeal decision, stating the reasons for the finding, within 30 days. Should ACPT fail to issue with written notification, the individual becomes eligible for the program until ACPT issues written notification stating otherwise.

Individuals disagreeing following informal administrative hearings may further appeal the decision to the appointed panel. The following outlines the process for an appeal hearing:

1. Individual submits a written appeal to the ADA Coordinator.
2. ADA coordinator schedules the appeal hearing.
3. At the appeals hearing there will be:
  - a. An introduction of individual making the appeal, panel members, and presiding members.
  - b. An explanation of:
    - i. Conflict of interest shall be addressed should an individual have a professional or personal relationship with a decision-maker,
    - ii. The appeal policy and individual's rights to ensure a clear understanding of process, and
    - iii. The basis on which decisions will be reached (e.g., majority vote, etc.).
  - c. An overview of the policy (eligibility or suspension) to ensure the individual has an understanding of issues such as the functional and trip-by-trip nature of ADA paratransit.
  - d. A summary of findings of the initial determination and informal administrative hearing.
  - e. An opportunity for:
    - i. The individual or his/her representative to provide additional information or dispute the findings of the initial determination and informal administrative hearing, and
    - ii. The panel members and hearing officer to ask the individual or his/her representative questions as well as other persons involved.
4. The appointed panel will deliberate and decide a course of action and issue a written decision concerning the appeal, so the individual clearly understands what happens following the hearing.
5. Individual receives decision regarding eligibility (eligible/ineligible) or suspension (upheld/removed).