



Tehama County Transit ADA Paratransit Service Policies and Processes

Information and Application Materials

Information about the Tehama County Transit Americans with Disabilities ACT (ADA) paratransit service, the eligibility certification process, and application materials are available to any potential applicant by mail, telephone (including California Relay Service), on-line (www.take-trax.com), or at various accessible locations throughout Tehama County. All materials are available upon request in accessible formats such as large print, audiotape, or floppy disc. A copy of the Tehama County Transit Application for ADA Paratransit Eligibility Form is attached.

Certification Process

In accordance with United States Department of Transportation (USDOT) implementing regulations, Tehama County Transit has developed a certification process designed to limit ADA paratransit eligibility to persons identified under Section 37.123 of the regulations.

The Application for ADA Paratransit Eligibility contains questions about functional impairments or disabilities which will be utilized to determine eligibility. This determination may apply to all trip requests or it may be conditional based on the trip requested. The criteria for eligibility are described in the Tehama County Transit ADA Paratransit Eligibility Policy.

Tehama County Transit utilizes a self-certification process. The applicant completes an application form that requests basic transportation information. It includes simple questions about the applicant's ability to use accessible fixed-route transit. The form requests that the applicant provide the name of a licensed professional who can attest to the validity of the information. Tehama County Transit shall use its discretion to verify the information with the individuals listed in the application form. The applicant may be called in for a personal interview to verify eligibility.

Eligibility screening will be given to anyone who requests it. Tehama County Transit will review all requests for eligibility and a determination of eligibility will be made within 21 days of receipt of a completed application or telephone/California Relay interview. Incomplete paper applications will be promptly returned with the missing information noted. (Please note that applications may be considered incomplete until a telephone or in-person interview has been conducted.)

The eligibility determination letter will explain any eligibility limitations or conditions. If the applicant is determined to be ineligible, the determination letter will state the reasons for the finding. All eligibility determination letters will contain information about appeals, allowing the applicant to exercise their appeal rights and informing them of any conditions relevant to appeals.

If applicable, the letter will also contain information about use of the paratransit service and policies related to its use. Information will be provided, as appropriate, in an accessible format. Enclosed with the letter will be an identification card as described below.

In the event that the 21-day time period for eligibility determination is exceeded, the applicant will be presumed eligible until a formal notification is made.

Eligibility Criteria

In order to be eligible for ADA certification a person must be unable to ride accessible fixed-route transit and must meet one or more of the following criteria:

Category 1: Individual's inability to use system

Any individual with a disability who is unable to use the system due to a physical or mental impairment. For example, if he/she is unable to:

- wait, either standing or seated, more than 15 minutes
- get on or off a lift-equipped vehicle without assistance grasp handles or railings
- maintain balance while seated on a moving vehicle
- identify the correct bus or stop
- understand transit directions needed to complete the trip

Category 2: Inaccessibility of the system

Any individual who can use an accessible system, but cannot do so when a portion of the system is not fully accessible. For example, the system is not considered fully accessible when:

- a lift cannot be deployed at the boarding/disembarking location the individual wishes to use
- a "common" wheelchair cannot be accommodated on the vehicle

Category 3: Individual's inability to get to the system

Any individual with a disability who has a condition which prevents them from traveling to a boarding location or from a disembarking location on an accessible transit system.

For example:

- the individual's mobility impairment prevents traversing the terrain necessary to access the desired fixed-route service



- weather conditions interact with an impairment-related condition to prevent travel
- variations in the health/functional ability of the individual prevent travel
- individual's mobility impairment prevents travel beyond a certain distance, and the particular stop is beyond that threshold
- visual, cognitive or developmental impairment prevents travel to or from a stop for exceptional (non-routine) trips

Conditional Eligibility

Applicants meeting one or more of the above criteria would be eligible for ADA paratransit service. Because eligibility depends on a functional definition of disability as it applies to actual trips, applicants may only be eligible for ADA paratransit for specific trips. Such applicants are conditionally eligible for ADA paratransit service. When considering eligibility for specific trips, the three service categories of ADA eligibility summarized above will be used.

Presumptive and Reciprocal Eligibility

The right to complementary paratransit service under the ADA cannot be restricted by any tests other than the ability to utilize available fixed-route services. Residency in the service area or political jurisdiction of the transit system is not required for ADA eligibility.

For out-of-area visitors in the TRAX service area, reciprocal eligibility will be provided to anyone with certification in another jurisdiction. The reservation operator may request information included on the individual's identification card and require that the card be presented to the driver to verify eligibility.

For those out-of-area visitors who have not received eligibility status in their hometown, it is suggested that they apply for complementary paratransit service eligibility at least 21 days in advance of their trip to Tehama County. By arranging for eligibility certification in advance, the visitor will be certain of their eligibility status and any conditions which may apply. They will also receive advance information about use of the service.

While an advance application is suggested, Tehama County Transit will provide an expedited eligibility determination process for visitors. Temporary eligibility will be provided upon presentation by the visitor of documentation which indicates place of residence and, if the individual's disability is not apparent, documentation of his/her disability. A self-certification of disability will also be required.

If a visitor expects to be in Tehama County for more than 30 days or, if the individual is a frequent visitor and user of Tehama County Transit services, Tehama County Transit may request that the individual establish local eligibility.

Documentation



Each applicant that is ADA-certified will be provided with an “ADA Paratransit Certified” identification card as documentation of his or her eligibility. The cards will include the following information as specified by the USDOT regulations:

- The individual’s name
- The name and telephone number of the certifying agency (Tehama County Transit)
- The eligibility date and the expiration date of the certification
- A requirement for a personal care attendant, if any
- Conditions or limitations on eligibility, if any

In addition, the card will include a certification number which, if requested, must be provided by the individual at the time that a paratransit service request is made.

Records

Tehama County Transit will keep a record of all persons determined eligible for ADA paratransit services and also those who are denied ADA eligibility. These records will be stored in a secure place to ensure the strictest confidentiality.

Personal Care Attendants

Applicants requiring the use of a personal care attendant to assist with mobility will be required to disclose this information as part of the eligibility review process. Should an attendant be required, this will be indicated on the rider’s identification card. Upon presentation of the card, a personal care attendant will be allowed to ride without charge when accompanying the eligible individual to or from the same origin and destination.

Companions

When making a reservation for complementary paratransit service, including requests for demand-response service, the ADA-eligible individual may request that space be reserved for one or more companions. One individual, in addition to a personal care attendant (if applicable), will be provided service as a companion of the eligible person. Service will be provided to additional companions on a space available basis. Companions will be charged the same fare as the ADA-eligible individual.

In order to be considered a companion, the person accompanying the eligible individual must be traveling to/from the same origin and destination. A family member or friend accompanying an ADA-eligible rider will be regarded as a companion and not as a personal care attendant, unless the family member or friend is acting in the capacity of a personal care attendant.

Suspension / Refusal of Service

A. Suspension for Pattern of Missed Trips



Tehama County Transit's Transit Manager or his/her designee is authorized to suspend the provision of complementary paratransit service to ADA-eligible individuals who establish a pattern or practice of missing scheduled trips. The term of the suspension shall be a minimum of five days and a maximum of 30 days depending on factors such as the number of missed trips following documented warning notices, past history of suspensions, and other factors that would tend to indicate whether or not the pattern of missed trips represents a flagrant disregard for trip schedules. The basis for suspension of service shall exclude trips that are missed for reasons beyond the control of the individual, such as vehicle arrival beyond the reservation time window stated at the time the reservation was made.

Before suspending service, the individual shall be notified in writing that Tehama County Transit proposes to suspend service, citing the specific basis for the suspension and setting forth the proposed sanction. The individual shall have the right to appeal the proposed suspension within 30 days of receipt of notification. If an appeal is made, the appeal process described above will be followed.

The rider making the appeal must show that one or more of the following criteria apply to the case:

1. One or more of the missed trips should not have counted. The rider must explain why the missed trip should not have counted.
2. The rider's disability prevented him/her from calling to cancel scheduled trips or from taking the trips.
3. The loss of service would cause severe hardship (e.g., loss of job or interruption of critical medical treatment).

The proposed sanction will be stayed pending outcome of the appeal.

B. Suspension or Refusal of Service Based on Conduct

Tehama County Transit's Transit Manager, or his/her designee, is authorized to suspend or refuse the provision of complementary paratransit service to individuals who engage in violent, seriously disruptive, or illegal conduct.

The term of the suspension or refusal of service shall depend on the nature and seriousness of the prohibited conduct.

To the extent feasible, the individual shall be notified in writing that Tehama County Transit proposes to suspend or refuse service, citing the specific basis for the suspension/refusal and setting forth the proposed sanction. If it is not possible to notify the individual prior to imposing the proposed sanction, then the individual shall be notified, if a valid address is available, within five days thereafter.



The individual shall have the right to appeal the proposed suspension or service refusal within 30 days of receipt of notification. If an appeal is made, the appeal process described above will be followed.

Appeal Process

Applicants who wish to appeal conditional eligibility or denial of eligibility may do so within 60 days of receipt of their notification from Tehama County Transit.

The appeal will be made to an Appeals Committee composed of the Operations Manager for the company that contracts with Tehama County to operate TRAX, Tehama County Transit's Transit Manager, and the Chair of the Tehama County Social Services Transportation Advisory Council (SSTAC).

The appeal can be made in writing or the applicant may request to appear in person. The Appeals Committee will meet on an ad hoc basis within 18 days of receiving an appeal request and will schedule its meeting at least five days in advance. In the event that the appeal meeting cannot be scheduled within this timeframe, the suspended individual will be presumptively eligible beginning on the 22nd day and continuing until the meeting is held and a decision made. Transportation to/from an Appeals Committee meeting will be offered to the applicant if the rider lives within the ADA-defined service area.

The Appeals Committee will review the application and appeal based on the ADA, its implementing regulations, and applicable policies of Tehama County Transit. Additional information, including an interview with the applicant, will be collected as necessary.

If the Appeals Committee overturns the initial review of the application, this decision will be final and the rider will be mailed their notice of eligibility within 3 days following the Committee review.

If the decision to deny or grant conditional eligibility is upheld, a letter will be sent to the applicant within 21 days from the date of the request for an appeal indicating the decision of the Appeals Committee. The decision of the Appeals Committee shall be final.

