

**Martha's Vineyard Transit Authority
(VTA)**

ADA Policies and Procedures

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Types of Service

The Martha's Vineyard Regional Transit Authority (VTA) provides year round accessible Public transportation to persons on the Island of Martha's Vineyard. In compliance with the Americans with Disabilities Act of 1990 (ADA), Paratransit service is available to persons unable to access the fixed route bus. The following transportation options are offered:

- Fixed Route Bus Service
- Comparable Paratransit Service
- Weekly Medivan Service to Boston Hospitals Contracted Transportation Funded by Human Service Agencies

Help is available to understand these Policies and or complete the application process. If requested, we have them in accessible formats. Please call 508-693-9440 ext 111 for assistance.

Definitions

Conditional Eligibility – Paratransit service will be granted when a person can use the fixed route buses under certain circumstances, but cannot under others (i.e. weather conditions, barriers to certain bus stops). Persons with conditional eligibility are sometimes required to take the bus.

Disability – any physical or mental impairment that substantially limits one or more major life activities, a record of such impairment, or being regarded as having such an impairment. Major life activities include caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. This definition is also for persons with cognitive disabilities and those with contagious or non-contagious diseases. (Definition taken from Americans with Disabilities Act – ADA Paratransit Handbook, U. S. D.O.T., UMTA, Sept. 1991 pp. 1-6.)

Fixed Route – bus service provided along a prescribed route according to a set schedule. Examples include Route #1 (Edgartown/Vineyard Haven Road).

Origin to Destination—service from user's point of origin to his/her destination. Transit providers are not required to take actions to accommodate riders needs that would fundamentally alter the nature of the service or create undue burdens.

Paratransit service - transportation the VTA must provide, consistent with the ADA, to disabled persons unable to access the fixed route bus independently.

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Paratransit (ADA) Trip – A trip conforming to the Paratransit eligibility of the rider making the trip.

Temporary Disability – any disability, as defined, expected to be temporary.

Paratransit (ADA) Trip – A trip conforming to the Paratransit eligibility of the rider making the trip.

Trip – One-way transportation from a specified location to a specified location.

Unconditional Eligibility – Paratransit service granted to a person whose disability prevents him/her from ever using fixed route bus service. Persons with unconditional eligibility are not ever required to take the bus.

Visitor Eligibility – Paratransit eligibility granted for twenty one(21) days of service within a calendar year to riders having been granted eligibility with an off island Transit Authority.

Paratransit Service

- Service is provided to certified eligible individuals only. Forms to apply are available by calling the VTA at 508-693-9440 ext. 117. Accessible formats are available on request.
- Trips must begin and end within a ¾ mile corridor of any VTA fixed route during service hours.
- Paratransit service is a shared ride public transportation. As with using the fixed route, riders should expect to stop en route for other riders.
- Service is available during fixed route scheduled hours.
- Trips are required to operate Origin to Destination Trips may be for any purpose.
- Certified riders must call the VTA no later than 4:30pm the day before the requested trip. The pickup times for the requested trip can be adjusted by the VTA to within 30 minutes of the requested time. If the requested trip time needs to be adjusted more than one hour, the time adjustment must be agreed with the customer.
- Drop off and pickup times must be more than 45 minutes apart.

Eligibility

Disability alone does not create eligibility. Eligibility is determined according to guidelines based on the ADA. A person must be prevented by their disability from accessing or navigating the fixed route service to be considered eligible for Paratransit service. Applications for Paratransit eligibility are available by calling the VTA offices at 508 -693-9440. Help in filling out the forms, also available in large print and accessible formats, can be arranged.

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Based on the disability, the person will be determined to have conditional or unconditional eligibility. (Unconditional eligibility is granted to individuals whose disability prevents them from ever using the fixed route service. Conditional eligibility is granted to individuals who can use the fixed route system under certain circumstances, but need Paratransit service under some conditions, i.e. ice, distance to the stop.)

The VTA will notify the applicant of the decision by letter within 21 days of receipt of the application.

Persons whose conditions change may reapply at any time.

Appeal for Denial of Eligibility

The VTA will send a letter of denial to any person who applies to the VTA for certification as denied. The letter will explain the reasons for the denial and will describe the procedures to appeal the determination.

An appeal may be filed within sixty (60) days of the denial of an individual's application. The individual filing the appeal will be offered an opportunity to present their appeal in person. As part of the appeals process, the VTA has the right to request additional documentation relating to the person's ability to use transit services from a physical therapist, rehabilitation counselor, or other health care professional. The VTA may require that the applicant be evaluated by a health care professional designated by the VTA, at the expense of the VTA. The appeal will be heard by the VTA Administrator or the VTA Administrator's designee.

Following is the ADA "Appeal Process" issued by Martha's Vineyard Regional Transit Authority (VTA):

- 1) Notify the VTA in writing within 60 days of the determination date indicated on the determination letter that you request to be heard by the VTA Administrator. This hearing process will allow the applicant to present information and arguments. The Administrator will then make a decision on eligibility, and written notification will be sent, either stating a change in eligibility status or the reasons for denial.
- 2) The VTA is not required to provide Paratransit service to the individual pending the determination appeal. However, if the VTA has not made a decision within 30 days of the receipt of the appeal, the VTA will provide service from that time until a decision on the

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appeal is made. Written decisions are available in accessible formats on request.

Fares

Paratransit fares are \$2.00 per town, including the town of origin. All riders must pay the fare when boarding. The Medivan fare is \$20 each way, or \$40 roundtrip. There is a four (4) person minimum for the medivan to traveling to Boston. Riders will be notified the Friday before the scheduled trip, if the four(4) person minimum has not been met.

Accessible Lifts, Ramps and Driveways

The VTA will transport passengers using a mobility device, providing that the following conditions are met. These conditions have been established as safety concerns for our riders as well as our drivers. It is the VTA's goal to be in compliance with the ADA as long as adhering to ADA requirements ensures maximum safety to all parties involved.

- A. Any building entrance, to which the VTA transports riders using a mobility device, having more than one step, must have a ramp from the doorway to a smooth surface walk/access leading to the vehicle.
- B. If the combined weight of the passenger and mobility device exceeds the posted vehicle wheelchair lift maximum combined weight threshold, transport may not be provided.
- C. The mobility device, 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 will be transported if it fits on the vehicle.
- D. Riders who have difficulty accessing the vehicle using the vehicle steps may board by riding the lift while standing. Drivers will always assist riders boarding the vehicle.
- E. The VTA requires access to buildings via driveways be free of tree limbs and other impediments which cause vehicle damage or restrict vision.

Companions/Personal Care Attendants

All Paratransit riders are entitled to be accompanied by one companion and one personal care attendant on all trips and additional companions on a space

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available basis. Personal care attendants, identified as necessary during the eligibility process, travel at no charge, companions pay the full fare.

Scheduling Trips

All riders are required to call in advance to schedule their ride. Rides must be made no later than 4:30 PM the day preceding travel. Office hours are 8:30 AM to 4:30 PM. No same day transportation will be provided.

Requested schedule times may be adjusted to within one hour to fit in the schedule.

Cancellations

It is preferable that the VTA is given 24 hours notice of a canceled trip. However, the customer is required to give at least 2 hours notice of a canceled trip. If the driver arrives for a scheduled pickup, which the customer has failed to cancel, that trip will be marked as a "No Show." Cancellations will be accepted via messages left at 508-693-9440 ext 117, outside of office hours.

Amount of Assistance Rendered

- VTA Paratransit service operates Origin to Destination
- Vehicle drivers are required to be at the vehicle door to assist riders getting in and out of vehicles.
- The VTA will never leave riders unattended on a vehicle.
- There is a 2-bag limit per person, including groceries, an amount the rider can independently carry up the vehicle stairs.

Pick-up Window

Due to traffic and unexpected delays it is not possible to guarantee a specific pick-up time. The vehicle is on time if it arrives between fifteen (15) minutes before and fifteen (15) minutes after the scheduled pick-up time.

Wait Time

Waiting for passengers who are not ready disrupts the entire schedule. Passengers are required to be ready fifteen (15) minutes before their scheduled pickup time. The van will wait no more than seven (7) minutes after scheduled pickup time. After that time, the driver will call the Dispatcher and receive permission to leave the stop.

Refusing Rides

Rides can be refused under the following conditions:

1. If the combined weight of the passenger and wheelchair exceeds the vehicle wheelchair lift maximum weight threshold or the wheelchair dimensions exceed the recognized limits and does not fit on the vehicle.

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2. Suspicions of riders carrying explosives, highly flammable or dangerous materials. will not be allowed under any conditions.
3. Violent, seriously disruptive or illegal conduct or conduct which will compromise the safety of others on the vehicle.
4. Improper containment of bio-hazardous materials.
5. Refusal to wear a seatbelt on ADA Paratransit vehicles

Such action may be taken immediately or upon investigation of the incident. In the event of an incident that prompts immediate refusal of or termination of service; the VTA will investigate the incident and determine if the refusal or termination of service will persist. If future Paratransit service is to be refused, the VTA will notify the individual in writing that he/she will no longer be provided with transportation. This determination will be made in a non-discriminatory manner consistent with the ADA.

An appeal of the decision to refuse or terminate Paratransit service may be made by the affected customer within 10 days of the determination date. The customer may appeal the suspension and will have the opportunity to be heard, to present arguments and to be helped by an advocate working with a local social service agency. The appeal will be heard by the VTA Administrator or the VTA Administrator's designee. After the appeal is heard, written notification of the appeal decision and the reasons for the decision will be provided within 30 days of the completion of the hearing. Any suspension would be for a reasonable period of time, taking into account the frequency that the service is used.

NO-SHOW POLICY

VTA has established an administrative process to suspend, for a reasonable period of time, the provision of complementary paratransit service to ADA paratransit eligible individuals who establish a pattern or practice of missing scheduled trips.

Riders will be considered "no-shows" if they do not call to cancel a reservation at least one hour before a scheduled pick-up. Riders will not be considered no-shows if the reason for missing a ride is beyond their control (appointment is not completed, an emergency develops, operator error/VTA operational issues, etc.). Missed trips that occur for reasons beyond the rider's control shall not be a basis for determining that such a pattern or practice exists.

No-show/Late cancellations are considered excessive when a customer reserves 7 or more trips within any month and no-shows and/or late cancels 15 percent or more of those scheduled trips.

If a rider exceeds this limit on a monthly basis, VTA will employ the following steps:

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1. VTA will review the individual's trip history to determine if a pattern or practice of missed trips within the rider's control exists.
2. If there is a pattern or practice of missed trips within the rider's control, VTA will notify the individual that a suspension of service is proposed. The notification will include the specific basis for the proposed suspension and the proposed penalty (included below).
3. The individual and/or his representative will be provided an opportunity to be heard and present information and arguments; this hearing will be chaired by the General Manager.
4. VTA will notify the individual in writing of the decision and the reasons for it.

VTA has established the following progressive schedule for rider suspension.

1st violation - letter of warning

2nd violation - 1 day suspension of service 3rd & 4th violation - 7 day suspension of service

No-Show Appeals

If you feel that you received a no-show in error, you are able to file an appeal.

Riders must provide notice that they wish to exercise his/her right to an appeal hearing within 60 days of receiving a "no-show". Riders can provide notice in writing or verbally if providing written notice would create a barrier to the appeals process. Make sure you include the time, date, and pick up address of the no-showed ride you are appealing.

This notice should be submitted to VTA's Administrator:

Vineyard Transit Authority
Angela Gompert, Administrator
11 A Street
Edgartown, MA 02539
Angie@vineyardtransit.com

An in-person hearing will be scheduled for the rider to present information. A rider may waive the in-person hearing and proceed on the basis of a written presentation. A rider may speak on their own behalf and/or have others represent them during the appeals proceeding.

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The rider will be provided a written notification of the decision within 30 days of the hearing or receipt of the applicant's written presentation. The written notification of the appeal determination will include the reason for the decision. If a decision has not been made within the 30 day period, transportation will be provided until and unless a decision to deny the appeal is issued.

Appeals Hearing Process

If an appeal hearing is necessary, (whether for suspension of service or denial of eligibility), it is heard by the VTA Administrator or the VTA Administrator's designee. If the individual does not agree with the determination decision of the hearing, then the individual may appeal the determination made to the VTA Advisory Board. If the individual does not agree with the determination made by the VTA Advisory Board, then that individual can appeal to the Mass DOT, Transit Division 10 Park Plaza, Suite 3170, Boston, MA 02116.

Visitors

Persons who reside outside of the VTA service area are considered visitors.

All visitors who present documentation of their ADA Paratransit eligibility from another transit agency will be accorded "visitor eligibility" by the VTA. Disabled persons without such documentation who desire "visitor eligibility" for Paratransit services will be required to document their place of residence as outside the VTA service area and, if the disability is not apparent, to document their disability. With those documents and the certification by the individual that he/she is unable to access and/or navigate the fixed route bus service, the VTA will grant the individual presumptive "visitor eligibility."

"Visitor eligibility" will permit a disabled individual presumptive eligibility for 21 days of Paratransit service within a calendar year, not necessarily consecutive.

Seatbelts

All riders are required to wear seatbelts at all times on VTA Paratransit vehicles. Riders will be refused transportation if they refuse to wear a seatbelt. Securement of mobility devices are required on all VTA Paratransit vehicles.

Service Animals

Trained service animals are permitted to ride with their owners.

Application Process

1. Call the VTA at 508-693-9440 ext 117 to request and application for Paratransit Service and one will be mailed to you or an appointment made for an interview with transportation provided.
2. Upon receipt of the application, read the instructions and fill out the two pages that are required to be filled out by the person seeking Paratransit service. Both parts of the form can not be filled out by the same person.
3. Forward the partially filled out application to your licensed health care professional, as described on page 3 of the application form.
4. Your licensed health care professional must fully complete and sign the two pages of the application they are required to fill out.
5. Once the VTA receives the application, we will send you a letter of determination within 21 days. The determination will be one of the following:
 - incomplete application
 - ineligible, the letter will state the reasons
 - conditional eligibility
 - unconditional eligibly
 - Medivan only eligible
 - Medivan standby

If you are interested in Medivan service only, a shorter application process is available. Please call 508-693-9440 ext 117 for details.

Complaints

Any person wishing to file a complaint relative to the ADA may do so by contacting:

Lauren Thomas
Martha's Vineyard Transit Authority
11 A Street
Edgartown, MA 02539
lthomas@vineyardtransit.com
508-693-9440 ext 112

Complaints may be filed via the telephone, in writing or electronically.

In the event a complaint is received by the VTA, the following process will be followed:

- a) A letter will be sent acknowledging receipt of the complaint and a hearing, if requested, will be scheduled with a VTA staff member.

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- b) Should the complainant not be satisfied that the complaint has been resolved, a hearing will be scheduled with the VTA Administrator.
- c) Should the complainant still feel the matter has not been resolved to his/her satisfaction; a letter will be sent to the Director of Transportation, Mass DOT. This letter will describe the complaint, attempts to resolve it at the local level and will include copies of all relevant documents.
- d) The VTA will maintain records of all complaints received, hearings held and all attempts to resolve said complaints.