

**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 and Cape Cod Medical facilities
- Contracted Transportation Funded by Human Service Agencies

. Please call 508-693-9440 ext 111 for assistance in understanding these policies or to request them in accessible formats

Definitions

Fixed Route – bus service provided along a prescribed route according to a set schedule. Examples include Route #1 (Edgartown/Vineyard Haven Road) and Route #13 (Vineyard Haven to Edgartown via Beach Rd).

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

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 rider

rider

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.)

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.

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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. 1. 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. Generally, this will mean that the service is curb to curb. Should you need a reasonable modification of the policy, please let the Reservationist know at the time of booking the trip. Drivers will assist clients boarding and exiting the vehicle and/or to and from the ground level exterior door of the building. Drivers cannot escort clients past the ground floor of any building and are not allowed to enter residences.
- Trips may be for any purpose.
- Certified riders must call the VTA no later than 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 rider.
- Drop off and pickup times must be more than 45 minutes apart.

Eligibility

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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 ext 1. Help in filling out the forms, also available in large print and accessible formats, can be arranged.

Based on the disability, the rider 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 twenty one (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 eligible and is 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 rider 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):

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- 1) Notify the VTA in writing within sixty (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 thirty(30) days of the receipt of the appeal, the VTA will provide service from that time until a decision on the 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 Boston fare is \$15 each way, or \$30 roundtrip. The Medivan fare to Cape Cod is \$10 each, or \$20 roundtrip.

Accessible Lifts, Ramps and Driveways

The VTA will transport riders 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 rider 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.

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- D. Riders who have difficulty accessing the vehicle using the vehicle steps may board by using the lift. riders
- 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. Additional companions can be accommodated if space is available. 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 trip; the schedule trip must be made during the Administrative Office hours of 8:30 AM to 4:30 PM the day preceding travel. The hours to schedule trips on Saturdays, Sundays and holidays follow the Administrative Office hours.. No same day transportation will be provided.

Cancellations

It is preferable that the VTA is given 24 hours notice of a canceled trip. However, the rider is required to give at least 2 hours notice of a canceled trip. If the driver arrives for a scheduled pickup, which the rider has failed to cancel, that trip will be marked as a "No Show." Cancellations will be accepted via messages left at 508-693-9440 ext1, 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

Because of 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 riders 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 rider 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.
2. Suspicions of a rider 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 rider 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 rider within 10 days of the determination date. The rider may appeal the suspension and will have the opportunity to be

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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

A no-show occurs when:

- You fail to show up for your scheduled trip
- You fail to cancel 2 hours before your scheduled trip
- You are not ready within 5 minutes of the driver's arrival during the pick-up window

Riders will be suspended for no-shows if the following criteria are met during a 3-month period:

1. No-shows represent 10 percent or more of their scheduled trips, AND
2. The rider has three or more no-shows.

Only no-shows under the passenger's control will be counted against the rider. The passenger will be given an opportunity to appeal the suspension before the suspension takes effect.

After a second no-show, the VTA will send you a warning letter. If you are suspended, the VTA will notify you by registered mail of the date on which the suspension will begin. The date for the beginning of the suspension of service will be no less than 10 days from the date the letter is sent. The letter will indicate the times and dates of the no-shows that have occurred and your rights of appeal.

The length of the suspension depends on the number of offenses:

- First offense: 5 days
- Second offense: 10 days
- Third offense: 15 days
- Fourth or higher offense: 30 days

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.

Service Animals

Trained service animals are permitted to ride with their owners.

Application Process

1. Call the VTA at 508-693-9440 ext 1 to request an 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 page 1 and 2. Pages 3 and 4 must be filled out by a medical provider.
3. Your licensed health care professional must fully complete and sign the two pages of the application they are required to fill out.
4. 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

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:

Suzanne Cioffi Martha's Vineyard Transit Authority
11 A Street
Edgartown, MA 02539
scioffi@vineyardtransit.com
508-693-9440 ext 111

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.
- b) Should the complainant not be satisfied that the complaint has been resolved, a hearing will be scheduled with the VTA Administrator.

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- 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.