

MTA

MODOC TRANSPORTATION AGENCY

Americans with Disabilities Act ADA Plan

The purpose of this document is to set policy in accordance with the Federal Transit Administration (FTA) regulations and Title II of the Americans with Disabilities Act (ADA), regarding Modoc Transportation Agency (MTA) / Sage Stage system for individual riders.

Approved:

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ADA Plan

Introduction

Modoc Transportation Agency (MTA) was established in 1997 to provide public transit services within the County and to nearby regional centers. The MTA was created as a Joint Power Authority between the County of Modoc and City of Alturas to operate the Sage Stage. The transit operation is handled by a third-party contract operator, which provides operators, driver training and licensing, mandated substance abuse testing, vehicle insurance, dispatch, and management services.

Mission Statement

Our mission is to provide the highest level of transportation service, which ensures equal access to all public transportation. To ensure that individuals with disabilities are afforded the same quality of service, to enhance citizens mobility, accessibility and create a sustainable transportation service with MTA / Sage Stage through a safe reliable and courteous transportation service.

Policy

The Americans with Disabilities Act (ADA) was signed into law July 26, 1990. The ADA is a civil rights legislation which requires that persons with disabilities receive transportation services equal to those available on Sage Stage intercity service as well as the local demand response Dial-a-Ride services. The ADA prohibits discrimination and ensures equal opportunity and access for persons with disabilities.

It is the policy of the MTA that, when viewed in its entirety, services, facilities and communications provided by MTA / Sage Stage, directly or by a contracted service provider, are readily accessible and usable to individuals with disabilities to the maximum extent possible. (49 CFR 37.105)

Customer Service Notification

MTA will notify the public of the ADA policy on Sage Stage vehicles, rider guides, complaint forms and the website at www.sagestage.com. The following statement shall be included:

MTA is committed to a policy of non-discrimination in program services pursuant to the requirements of Title VI of the Civil Rights Act of 1964. Any person who believes that he or she has been subjected to discrimination under Title VI on the basis of race, color or national origin may file a complaint with MTA. To receive additional information on MTA's non-discrimination obligations, or to file a complaint, you can call the MTA office at (530) 233-6410 or write to:

Modoc Transportation Agency
108 S. Main St.
Alturas, CA 96101

Americans with Disabilities Complaint Form procedures are also available online at our website : www.sagestage.com

Requesting Dial-a-Ride Service

Sage Stage provides a demand response Dial-a-Ride service within a 10-mile radius of Alturas. Sage Stage has professionally trained operators with a fleet of seven (7) that are all ADA accessible vehicles. Individuals requesting Dial-a-Ride services may contact Sage Stage directly by calling 530 233-3883 or 530 233-6410.

Service Area

There are three (3) zones within the 10-mile radius of Alturas. Cost per ride is:

- ❖ Zone 1 \$1.00
- ❖ Zone 2 \$2.00
- ❖ Zone 3 \$3.00

All riders regardless of age must pay a fare. All fares must be paid upon boarding the vehicle.

Service Days / Hours

- ❖ Monday thru Friday: 7:45am – 5:15pm
- ❖ Saturday - Closed
- ❖ Sunday - Closed

Holidays Observed

Presidents Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve Day, Christmas Day, and New Year's Day

Operator Training

Operators shall be trained by Transportation Safety Institute (TSI) Certified Instructors in classroom and behind the wheel. All operators are trained to be proficient in the safe operation of vehicles and equipment. This includes training to properly assist persons with disabilities and treating every passenger in a respectful and courteous manner.

These training programs are designed to establish a comprehensive hands-on training, instructs operators on how to provide passenger assistance techniques and sensitivity skills appropriate for serving passengers with special needs prior to being released to revenue service.

Mandatory ADA refresher training is conducted annually for all classroom sensitivity training, and one hands-on check to evaluate operator expertise in the boarding, securement, and alighting of mobility devices.

Operators aid the disabled customer by using the securement devices, repositioning the person's wheelchair, storing a person's walker or crutches. Operators may recommend that customers transfer from their mobility device to a regular fixed seating in the vehicle. If the passenger chooses to move to fixed seating, the operator must assist with making the move and the mobility device must be completely secured with tie-downs.

What is a wheelchair or mobility device?

Wheelchairs and other mobility devices or aids are designed specifically for assisting individuals with disabilities in their personal mobility. A wheelchair is the most common mobility device used by individuals with disabilities. The ADA defines a wheelchair as, "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."

Any wheelchair which can safely fit on the bus ramp, enter the bus, and be positioned in the wheelchair securement area without blocking the aisles or doorway, will be transported.

Scooters are also considered wheelchairs; individuals are encouraged when using scooters to transfer to a seat as scooters have a high center of gravity and can be prone to tipping under normal operating conditions. The mobility device must be in good working order; with batteries charged, tires inflated, working brakes, footrests attached, and all parts secure. (49 CFR 37.3)

Most wheelchair types can be secured using the wheelchair securement devices. For the safety of both the passenger using the wheelchair and other passengers, all operators are trained to secure wheelchairs.

All transit vehicles can accommodate a variety of mobility devices.

Placement of Walkers and Other Mobility Aids

Mobility aids (i.e., walkers, etc.) which can be folded, must be folded, and kept secure with the passenger without blocking the aisle or doorways, or depriving another passenger of a seat. Walkers which cannot be folded may be secured in any available wheelchair securement area on buses, and the passenger may sit nearby, as seating allows. Passengers who cannot find a seat may ask the operator for assistance.

Please remember that individuals using walkers **may not sit** in their walker-equipped seat while on transit vehicles.

When might a Customer Using a Wheelchair be Unable to Board?

Overloaded bus - An individual with a disability using a wheelchair may be prevented from boarding if all seats and wheelchair securement areas are occupied. Please remember that operators may only request, not require, that customers vacate the wheelchair securement area.

Too many bags - When a wheelchair / mobility device or mobility aid has bags or other items attached, operators may decline to board them if the attached items prevent safe boarding, when items take up extra seats or block the aisle or a doorway, or if they interfere with the travel and safety of other customers.

Device not being used as intended - Mobility devices and mobility aids are designed specifically to assist people in their mobility. When they are not being used according to its design and purpose, such as using a wheelchair to transport only belongings, then operators may decline boarding.

Weight - The ADA allows transit operators the ability to prevent a customer using a wheelchair from boarding if the combined weight of the individual and the wheelchair exceeds the eight-hundred-pound ramp design load specification of a vehicle. In such cases, customers are allowed and encouraged to board separately from their wheelchair.

Size - The size of a wheelchair could be a determining factor in whether an individual with a disability using a wheelchair is able to board and/or ride buses. One such factor is if a wheelchair is too large to enter through the bus doors, vehicle specification of 33 inches x 51 inches.

Another factor is if the wheelchair, once in the wheelchair securement area, creates a safety hazard by blocking the aisle. The ADA requires that wheelchair securement areas be no less than 30 inches x 48 inches. Devices that exceed these measurements and/or block the aisle, with or without bags, may be prevented from using Sage Stage for certain trips.

Assistance for Individuals using a Wheelchair / Mobility Device

Individuals using wheelchairs are to be secured and wear vehicle-mounted lap and shoulder belts. Simply back up against the safety barrier, attach the anti-tip (seat belt) and set your wheel locks (if equipped) or turn off the power.

For your convenience, operators will:

- ❖ Provide assistance in boarding the bus
- ❖ Attempt to clear the wheelchair securement space when occupied
- ❖ Prepare the securement area for your use

- ❖ Request that your wheel locks be set, or power turned off (if equipped)
- ❖ Quickly and safely secure your mobility device
- ❖ Adjust lap and shoulder belt securement for increased safety
- ❖ Quickly release securement equipment and assist you in exiting the bus.

What is not a Wheelchair, Mobility Device or Aid

The best example of devices that are not considered a wheelchair or mobility device, and may be preventing from boarding vehicles, are shopping carts, non-folding strollers and wheeled-baskets, bicycles, and other devices not specifically designed to assist an individual with a disability with their mobility.

Lift Use Policy

Sage Stage strongly recommends that persons who wish to use the lift to board do so only when seated in a wheelchair. Persons who do not use wheelchairs but wish to use the lift to board or alight the vehicle, must inform the driver or when scheduling.

Mobility Device Brakes

When occupying a lift or securement area, passengers must apply the brakes on their mobility devices. With power chairs or scooters, it is recommended that the power switch be turned to the “off” position or "dial down" feature when boarding the bus.

Securement Policy

Transit vehicles are built in accordance with the guidelines of the Americans with Disabilities Act of 1990 (ADA). Operators will correctly use the appropriate number of securement devices provided by the manufacturer (including straps, harnesses, clamps, etc.) as they were intended to be used for all mobility aids.

Passengers in wheelchairs must allow the operator to secure the wheelchair or service may be denied. Operators must make every attempt to secure the wheelchair (or other mobility device) to the best of their ability. An operator cannot deny service to the passenger due to a wheelchair malfunction in which it cannot be secured.

Refusal Securement Policy

The operator may decline to provide service to a rider who refuses to allow his or her wheelchair to be secured. Should a passenger refuse securement of their mobility device, the device will NOT be transported. A mobility device not secured during transport may become a hazard in the event of an emergency, sudden braking, or an accident. Non-securement of the device creates a situation in which the safety of the driver and all other passengers will be jeopardized.

MTA Policy No.17-01 states that all ambulatory passengers are required to wear seatbelts while riding the bus and all passengers using a wheelchair shall be secured with a lap and shoulder harness or similar device as equipped by the bus manufacturer. If a passenger using a wheelchair is unable to wear a shoulder harness for medical reasons, they may be exempted from the use of a shoulder harness if the passenger provides a doctor’s note stating such. Sage Stage will honor the note and allow the passenger to ride with the lap seat belt only.

If any passenger refuses to use a restraining device (seat belt, lap belt, harness, etc.) Sage Stage will deny the passenger a ride in accordance with this policy.

Seat Belt Policy

On October 8, 2017, Senate Bill, SB-20-Bus Seat Belt Law was signed and went into effect on July 1, 2018. The United States has strict laws surrounding seat belt use, and the state of California is no exception. To curb accidents that may result in major injuries or fatalities, California makes it the law to wear a seat belt or restraint whenever you are in a moving automobile.

All vehicles are equipped with lap-type seat belts in permanent passenger seats. If a seat in a vehicle has both lap and shoulder belts, as a passenger you must use both when riding.

Luggage or Other Large Items

Passengers may carry on to the bus only bags or packages that they are able to manage independently without the assistance of the driver. The number of bags or packages must be easily handled by the rider without delaying the bus. All bags and packages must be placed in the luggage rack, carried on a rider's lap or under the seat without causing a tripping hazard in the aisle or causing an obstruction to others. Seats are not to be used for bags and packages. It is important to plan to have a friend or assistant to ride and help with bags or packages that you cannot manage alone. There is a limit of 2 carry-on bags (maximum 40 pounds each) per passenger. For each additional 2 bags, another general fare will be charged.

Portable Oxygen Use

Passengers with disabilities who use portable oxygen devices are allowed to travel. Portable oxygen supplies and respirators must be properly secured and cannot obstruct the aisle during transport. (49 CFR 37.167(h))

Internal/External Stop Announcements

Operators must announce major bus stops and transfer points. Operators will announce other stops upon request. (49 CFR 37.167 (a-c))

Personal Care Attendants

A Personal Care Attendant (PCA) is someone designated or employed to specifically help a disabled individual meet his/her needs or travels with a rider who is not able to travel alone. A customer with a disability can only have one PCA and must provide their own. A PCA must board the vehicle at the same location as the disabled person and they must have the identical destination as the disabled person. No fare is charged for the PCA.

Guests and companions may also ride with the individual on Sage Stage. Guests and companions must pay regular fare. A companion is anyone who rides with the individual but is not designated as their PCA. (49 CFR 37 (d))

Service Animals

A service animal is any guide dog, signal dog, or other animal individually trained to work or perform tasks for an individual with a disability, to ride Sage Stage.

- ❖ The animal must be on a leash, in a container, or remain under control of the owner and behave appropriately.
- ❖ Birds, reptiles, amphibians, rodents, and cats must be kept in an enclosed carrier/container.
- ❖ The animal must remain at the rider's feet. It may not sit on a vehicle seat.
- ❖ All carriers/containers cannot be placed on the seats
- ❖ The animal must not be aggressive toward people or other animals. (49 CFR 37.167 (d))
- ❖ Passenger is responsible for any damage or soiling caused by the animal

Boarding Assistance

Operators shall position the bus to make boarding and alighting as easy as possible for everyone. Operators shall provide assistance to passengers upon request. Passengers with disabilities shall be allowed adequate time to board and alight the vehicle.

Maintenance of Lifts or Ramps

Operators shall test the lift or ramp during daily pre-trip inspection and records are to be maintained. Break down of accessibility equipment shall be reported immediately. A vehicle with an inoperable lift or ramp will be removed from service as soon as possible and will not be returned to service until repaired. If there is a lift or ramp failure, alternate transportation must be provided to the disabled customer if the delay exceeds more than 30 minutes. (49.CFR 37.163)

Priority Seating

Mobility device securement areas on buses are reserved for passengers using common mobility aids and shall be boarded if the securement areas are not otherwise occupied by a mobility device, regardless of the number of passengers on the bus.

ADA Regulations § 37.167 (j)(1) require vehicle operators to ask people to move from priority seating and securement locations when an individual with a disability enters a vehicle and needs to sit in a seat or occupy a wheelchair securement location.

Operators shall not require individuals with disabilities to use designated priority seating if the person does not choose to do so. All priority seating areas and wheelchair securement areas must be labeled.

Abusive or Disruptive Behavior

Service may be denied on a long-term or indefinite basis to passengers who engage in violent, seriously disruptive, or illegal conduct directed at other riders or Sage Stage operators. Such conduct includes but is not limited to threats or fear of physical or verbal abuse.

Unlawful harassment including unwelcomed verbal, nonverbal or physical behavior having sexual or racial connotations, unauthorized use of equipment on the vehicle, voluntarily and repeatedly violating vehicle riding rules, including smoking in the vehicle, eating or drinking without medical indication, or defacing equipment.

Code of Conduct

Passengers are expected to follow this Code of Conduct to ensure a safe environment on all Sage Stage buses and facilities.

- ❖ Not evade payment of correct fare
- ❖ Not misuse any transfer, pass, ticket, or token with the intent to evade the payment of any fare
- ❖ Not play sound equipment on, or in, any Sage Stage facility or vehicle unless headphones are used, and the volume does not disturb other passengers or the driver
- ❖ No smoking or use of e-cigarettes or vaping in buses, transit facility, or bus stops unless in a designate smoking area – Smoking within 25 feet of a bus shelter is prohibited
- ❖ No consuming of an alcoholic beverage or being in possession of an open alcoholic beverage
- ❖ No eating of food or drink non-alcoholic beverages in open containers on trips less than one hour in duration

- ❖ Not willfully disturb others by engaging in boisterous or unruly behavior. Harassing behavior will not be tolerated
- ❖ Not carry any potential harmful concentration or quantities of any hazardous material including flammable liquid, fireworks, batteries, or gasoline
- ❖ Not block the free movement of another person in any Sage Stage vehicle
- ❖ Not physically or verbally assault or intimidate the driver or passengers
- ❖ Not steal property or panhandle from the driver or passengers
- ❖ Not carry weapons of any type onto a Sage Stage vehicle
- ❖ Not offend other passengers through unacceptable personal hygiene. For the health and safety of the driver and passengers, expelling bodily excrement, either voluntarily or involuntarily, is prohibited

Notification of Policy

MTA will notify the public of the ADA policy on the website at www.sagestage.com, and in rider guides

Complaint Process

MTA is committed to providing safe, reliable, courteous, and accessible transportation options for all citizens, and has established the customer complaint procedures for customers wishing to file a complaint as shown below.

How to File a Complaint

The complainant may file a signed, written complaint up to one hundred and eighty (180) days from the date of the alleged discrimination. The complaint should include the following information:

Your name, mailing address, and how to contact you (i.e., telephone number, email address, etc.).

How, when, where, and why you believe you were discriminated against. Include the location, names, and contact information of any witnesses. Other information that you deem significant.

The complaint form located on MTA's **website:** www.sagestage.com may be used to submit the complaint information. The complaint may be filed in writing with Modoc Transportation Agency at the following address:

**Modoc Transportation Agency
ADA Coordinator
108 S. Main St.
Alturas, CA 96101**

Note: Modoc Transportation Agency encourages all complainants to certify all mail that is sent and/or ensure that all written correspondence can be easily tracked.

What happens to the complaint after it is submitted

All complaints alleging discrimination, on the basis of disability, in a service or benefit provided by MTA, will be directly addressed by MTA and shall make every effort to address all complaints in an expeditious and thorough manner.

Within (7) seven calendar days after receipt of the complaint, the ADA Coordinator or designee will meet with the complainant to discuss the complaint and possible resolution. Within (15) fifteen calendar days of the meeting, the ADA Coordinator will respond in writing, and where appropriate, in

a format accessible to the complainant. The response will explain MTA's position and offer options for substantive resolution of the complaint.

Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

How will the complainant be notified of the outcome of the complaint?

MTA will send a final written response letter to the complainant. If the complainant is not satisfied with the outcome of the complaint, the complainant is advised of their right to:

- ❖ Appeal the decision within (7) seven calendar days or receipt of the final written response from MTA.
- ❖ File a complaint externally with the appropriate governing entity.

Complaint Tracking

All ADA complaints shall be tracked with the following information:

- ❖ Type of complaint, investigation, or lawsuit.
- ❖ Date of complaint, investigation, or lawsuit.
- ❖ Summary of the complaint, investigation, or lawsuit.
- ❖ The status of the complaint, investigation, or lawsuit.
- ❖ Action taken in response to the complaint, investigation, or lawsuit.

All written complaints received by the ADA Specialist or their designee, appeals to the FTA Office of Civil Rights, and responses from these two offices will be retained by the MTA for at least three (3) years following the final action regarding the complaint, investigation, or lawsuit.