



Sioux City Transit System

COMPLEMENTARY PARATRANSIT SERVICES POLICY & PROCEDURES

This ADA Policy Manual will be made available to any individual, upon request, in a language other than English, in Braille for the sight impaired, or in any other format to accommodate a disability.

ADA PARATRANSIT POLICY MANUAL

The American with Disabilities Act of 1990 (ADA) is a civil rights bill designed to remove the physical and attitudinal barriers that have kept persons with disabilities from fully participating in American society. The ADA states that Sioux City Transit System's ADA accessible Bus Fixed Route System (Fixed Route) should be the primary means of public transportation for the public, including people with disabilities. The Sioux City Transit System's complementary Paratransit Service, functions as a safety net for those persons who do not have the physical or mental capability to use the Fixed Route system. Sioux City Transit is committed to provide non-discriminatory service. Persons able to use the Fixed Route system are not eligible for Paratransit Services. The Paratransit Service is a shared-ride, advance reservation, origin to destination transportation service. Eligible riders include Siouxland residents, and certified visitors.

The paratransit service area defined by FTA rule is $\frac{3}{4}$ mile beyond the fixed route. SCTS provides additional ADA service by including the service area to the corporate limits of Sioux City, IA, Sergeant Bluff, IA, North Sioux City, SD and South Sioux City, NE. Paratransit Service is operated with 100% ADA accessible vehicles. Paratransit Service operates the same days and hours as the Fixed Route system. By law, the fare is \$3.60, twice the amount of the fixed route fare for an adult.

PARATRANSIT SERVICE OPERATES THE SAME DAYS AND HOURS AS THE FIXED-ROUTE BUS SYSTEM

SIOUXLAND REGIONAL TRANSIT SYSTEM (SRTS) is the Paratransit service contractor. Telephone number: 712-279-6919 / TTY 800-735-2942.

SRTS OFFICE HOURS:

Monday- Friday 6:00 a.m. - 6:00 p.m.

Saturday 8:00 a.m. – 4:00 p.m.

PARATRANSIT SERVICE HOURS:

Monday through Friday: 6:00 a.m. to 6:00 P.M. Saturday service 7:00 am to 6:00 PM. No Sunday Service. Telephone Answering Service is available 24/7.

Paratransit service does not operate on New Year’s Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day.

If you change your address, phone number, lose your Paratransit Certification ID Card, or if your disability needs change, please call the Sioux City Transit System Business Office Monday through Friday, 8:00 a.m. to 4:30 p.m. at telephone #: 712 279-6405.

DETERMINATION OF ELIGIBILITY

The basis of eligibility is based upon functional ability & whether a disability prevents a person from using the Sioux City Transit System fixed bus routes, rather than a medical diagnosis. Eligibility is not based on geographic coverage by a fixed route or by the time that route operates. The applicant and a licensed physician, health care professional or rehabilitation professional must complete the application. The physician or other licensed professional must certify that the applicant’s disability prevents travel using a Fixed Route Bus. Determination for eligibility status of a passenger is based on the information contained in the completed Certification Form and the professional’s statement. The eligibility period may vary depending on the Client disability or infirmity. Clients who do not meet full eligibility for certification may be eligible for conditional or temporary/seasonal eligibility. Conditional eligibility means that service will be provided only for those trips in which ADA paratransit eligibility standards have been met.

Following the determination by Sioux City Transit System, the process normally takes 21 days or less, the applicant will be notified in writing. An applicant may make a written request for an appeal of a denial decision.

Appeal Process

If the Certification Application is denied, the applicant will receive a written notice with the specific reason(s) for denial.

The following are reasons for ineligibility:

Incomplete application – please complete the highlighted items on the attached application and return to our office for further review.

Incomplete “Request for Professional Verification” form– please have your physician (Medical Doctor MD or Doctor of Osteopath DO) complete the attached form and return to our office for further review.

Ineligibility for complementary paratransit service, based on Federal Code of Regulations (CFR) 49 Subtitle A Part 37 Subpart F: Paratransit as a Compliment to Fixed Route Service.

Additional References - Americans with Disabilities Act (ADA) Paratransit Eligibility Manual: DOT-T-93-17 September 1993 Section 504, Rehabilitation Act of 1973, Chapter 2. FTA Circular 4710.1 Americans with Disabilities Act Guidance.

If you wish, you may appeal the decision by following the requirements that follow.

Appeal Process:

- Individuals must request an appeal within 60 days of the initial eligibility decision.
- An appeal hearing will be scheduled within 7 working days of the receipt of the appeal.
- Individuals will have an opportunity to be heard in person and to present additional information and arguments regarding their disability and ability to use the fixed route service.
- The City of Sioux City’s Human Resources Specialist / EEO Officer is the designated person who will hear the appeal.
- Applicants will be notified of the appeal decision, in writing in their primary language, or in accessible format if requested. The decision will state the reason for ineligibility, if the appeal is denied.
- If a decision is not made within 30 days of the completion of the process, individuals will be considered “presumptively eligible” and must be provided paratransit service until and unless a decision to deny the appeal is issued.

ELIGIBILITY

If you are determined eligible for SERVICE, your eligibility will be for one of the following types or conditions:

CONDITIONAL ELIGIBILITY:

You can use the fixed route buses for **SOME** of your trips and/or for **SOME** time frame. You do qualify for ADA Paratransit Service for other trips.

TEMPORARY ELIGIBILITY:

You have a health condition or disability that **TEMPORARILY** prevents you from using the fixed route buses; or due to seasonal weather constraints – normally winter months.

UNCONDITIONAL ELIGIBILITY:

Your disability or health condition always prevents you from using the fixed route buses and you qualify for ADA Paratransit for **ALL** trips.

RIDING THE FIXED ROUTE BUSES

Many Paratransit Clients can ride Fixed Route buses for some trips. The buses offer more flexibility and more independence to those who can use it. All fixed route buses are ADA accessible and have a universal handicap symbol next to the door. Most of these fixed route accessible buses can “kneel.” This means the bus can be lowered a few inches to reduce the height and slope of the ramp into the bus. These bus features assist a passenger who is limited in their mobility but does not use a wheelchair. The buses have a ramp that unfolds for people using wheelchairs or anyone else requesting it. The bus driver will unfold the ramp, when requested, kneel the bus, assist a person on and off the vehicle, tie down wheelchairs, announce any specific bus stops, and help passengers with transfers and route information. However, the bus driver cannot help you after you exit the bus onto the sidewalk.

CERTIFICATION ELIGIBILITY PERIOD

Eligible Clients may be certified for services for a maximum period not to exceed three (3) years. The eligibility period will depend on the Client’s specific disability. Re-certification for services is required for each Client prior to the expiration of their current eligibility period. A recertification application can be obtained by each Client, upon request, up to 30 days before the expiration date.

It is the responsibility of each Client to maintain a current and valid Certificate of Eligibility for ADA Paratransit Service ID card, and to re-certify prior to his or her expiration date. If a Client fails to re-certify prior to the expiration date, all service will be suspended until the re-certification is complete. The Paratransit Certificate of Eligibility Card is accepted throughout the United States. It may be used to ride ADA complementary paratransit systems wherever these services are provided for up to 21 days in a 365-day period.

You must confirm and comply with the exact scheduling rules and regulations of the local transit system in the city you are visiting

HOW TO RIDE THE PARATRANSIT SYSTEM

Transportation service is based upon an Origin to Destination system. It is a shared-ride program that mirrors the Fixed Bus Route System in Sioux City, Iowa. The Paratransit service is a demand response transportation that utilizes a sub-contractor. The contractor picks-up and drops off Clients only at safe locations that are as close as possible to the entrance of a Client's origin location and to the destination. The driver does not enter a building; however, a driver will assist Clients from door to door when notification is given at the time of ride reservation. Please be waiting and watching for the Paratransit Van at the pick-up location to avoid delaying and/or disrupting service to other Clients.

The Sioux City, Iowa Paratransit System has designated standard pick-up locations at major malls and other common destinations such as a grocery store. If a Client schedules a trip to one of these destinations, the scheduler will inform the Client of the specific pick-up location. Clients should not ask for exceptions to these pick-up locations. If requested at the time of ride reservation, the driver will assist a Client door to door.

The Paratransit service pickup time is negotiable within a 60-minute window before and after a requested pick-up time. The negotiation for a pickup time may be one hour prior to the requested pick-up time and up to one hour after. Pursuant to FTA Section 137.131(b)(2), the practical pickup window is 30 minutes – 15 minutes before and 15 minutes after the scheduled pickup time. Once the vehicle arrives, drivers can wait 5 minutes for the Client to board the vehicle. It is very important for a Client to be ready and waiting at the origin location for pick-up.

Wearing seat belts is required when the vehicle is in motion. If you are traveling with children under six years of age, Iowa State Law requires that the child be secured in a child securement device. Clients are responsible for providing the child securement device.

FARE

The current fare per one-way trip is \$3.60. Paratransit Clients must have the exact fare, or a pre-paid ticket ready when boarding a vehicle. If you do not pay the correct fare, the driver will refuse to provide the ride and you will be assessed a **NO-SHOW** to your record. Drivers do not make change and will not be able to stop to make change along the way.

If a Client books several trips, each trip will cost a full fare. For example, if you want to travel from home to the bank, then to a store and then return home, these trips will be scheduled as three (3) separate trips, each of which would require a full fare.

SCHEDULING TRIPS

If your scheduled trip is to be dropped off at a specified time, you must be prepared to be picked up at your starting point up to 30 minutes before that specified drop-off time. If you are scheduling a trip to be picked-up at a specified time, ADA regulations state that the practical pick-up window is no more than 30 minutes. This can be 15 minutes before or after the negotiated pickup time.

It is important for Clients to know the opening and closing times at your destination to avoid waiting outside the building before or after business hours. When scheduling return trips, be sure to allow sufficient time to complete your appointment to meet the vehicle at your scheduled pick-up time and location.

The current sub-contractor is Siouxland Regional Transit System (SRTS). To make a reservation with Siouxland Regional Transit System, please telephone **712-279-6919**. Both origin pick-up and destination drop-off locations must be within the defined service area: the corporate limits of Sioux City, IA, South Sioux City, NE, North Sioux City, SD and Sergeant Bluff, IA.

Rides may be scheduled for the next day and up to 14 days in advance. Reservations are taken Monday-Friday 6:00 a.m. to 6:00 p.m., Saturdays 8:00 a.m. to 4:00 p.m. All other times the reservation is taken via telephone recording. If the reservation is for the next day's travel, the reservation must be made before 4:30 p.m. of the previous business day. If a trip reservation request cannot be accommodated at the exact time you wish to travel, you will be offered alternative travel times. The federal requirement is met under the ADA regulations if the offered trip scheduled time is within one hour before or after the original request time.

You or someone acting on your behalf must provide the following information when scheduling a trip:

- 1) Your Name and Sioux City Transit System ADA Paratransit Certificate ID Number
- 2) Your pickup address – including building/business name, specific pick-up information, and any landmarks or hazards
- 3) The day and date you are traveling
- 4) The time to pick you up OR the time you need to reach your destination
- 5) The street address of your destination - including specific drop-off information.
- 6) The telephone number at your destination if there is one.
- 7) The pick-up time and location for your return trip. All return trips, other than a medical appointment return trip, must be scheduled in advance for a specific time.
- 8) If a Personal Care Attendant (PCA) will travel with you or if a different companion than your regular PCA will travel with you, including children.
- 9) The type of mobility device you may use, including a manual or a power wheelchair, or a service animal.
- 10) Please try to be flexible. Try to avoid scheduling trips during high demand periods. High demand periods are 6:00 a.m. to 10:00 a.m. and from 2:00 p.m. to 6:00 p.m.

CHANGING RESERVATIONS

NO SAME-DAY CHANGES IN RESERVATIONS CAN BE ACCEPTED. DRIVERS ARE NOT PERMITTED TO CHANGE SCHEDULES OR DESTINATIONS.

VERIFY TRIPS

It is always wise and safer to verify your next day's trip(s). This lets the Client and the trip scheduler(s) confirm your correct schedule information. While calling to verify your next day's schedule is not required, it is recommended, and the procedure can potentially avoid problems.

It becomes a problem for both the SCTS/SRTS scheduler and the Client if the Client assumes a trip has been scheduled, when for some reason it has not. A verification call should prevent these problems.

When making any scheduling arrangements please ask for and record the name of the person you speak with, including the time of day. This information will assist with resolving a dispute should it occur.

MEDICAL OPEN RETURN or WILL CALL TRIPS

Open Return Trips are commonly referred to as "Will Call Trips". **Will Call Trips are limited to medical appointment returns only.** The trip schedulers may not be able to provide immediate pick-up when notified that the Client is ready to return home following a medical appointment. Pick-ups will be made as soon as a vehicle becomes available.

Other than medical returns, all return trips must be scheduled in advance for a specific time.

Clients that request an Open Return Trip or Will Call Trip will be put on an unscheduled list. Clients who do not need the return trip must call and cancel the Open Return Trip or Will Call Trip or they will be marked as a No Show.

NOTE: Open Return or Will Call Trips are not available on Saturday or Sunday.

NO SHOW & LATE CANCELLATION POLICY

NO-SHOW and LATE CANCELLATION policy is modeled after the accepted industry standard used by public transit systems throughout the United States. Its purpose is to address willful or chronic abuse of paratransit services by some people. This abuse of the system adversely affects the ability to provide paratransit services to other eligible Clients.

A no-show is defined as no one boarding the vehicle upon a timely arrival for pick-up,

specifically the driver will wait 5 minutes before declaring the passenger a no-show, and the 5-minute waiting period will not begin until the actual negotiated & agreed upon pickup time. Changing or cancelling a trip must be done at least 1/2 Hour prior to the scheduled pickup time.

If the accumulation of NO-SHOW or LATE CANCELLATION violations or a combination of violations exceeds 20 percent of total scheduled rides within a rolling 30-day period, it may lead to a temporary suspension for one week for the first offense.

A written notification will be sent to a Certified Passenger if the TWENTY PERCENT (20%) threshold occurrence of a NO SHOW or LATE CANCELLATION within any 30-day period is met. A NO-SHOW is defined as any occurrence whereby the Passenger is not available or cannot be located for a scheduled trip within 5 minutes of arrival, or if a Passenger declines to take the trip when the driver arrives, then it will be considered a NO-SHOW. Siouxland Regional Transit System staff is not permitted to assume a cancellation of return trips. If a Client fails to cancel a scheduled return trip, that trip will be considered a NO-SHOW too.

LATE CANCELLATION: Any occurrence whereby a Client fails to notify SCTS/SRTS of a trip cancellation within a half hour in advance of the scheduled trip, other than for reasons beyond their control, it will be will be considered a LATE CANCELLATION. If any part of your trip is a NO-SHOW, and you have other trips scheduled for that day, the other trips must be cancelled by you. A passenger will be marked LATE CANCELLATION for each missed cancellation.

BOARDING WHEELCHAIRS AND OTHER MOBILITY DEVICES

The combined weight of the mobility device and the Client should not exceed the maximum capacity of the vehicle lift. The lift capacity in all current SCTS Paratransit Vans is rated between 600 and 800 pounds depending on the manufacturer. A passenger must notify SRTS if their mobility device with the passenger in it weighs more than 600 pounds. SCTS/SRTS will give every effort to use the lift to ensure access to the passenger using a mobility device.

Mobility devices used on the Paratransit Van cannot exceed 48" in length and 30" in width or exceed the rated manufacturer's capacity when occupied. There is no guarantee that a mobility device which exceeds weight limit can be accommodated aboard the Paratransit Van. An attempt will be made in each instance to accommodate boarding access using the vehicle's lift.

It is the Client's responsibility to ensure that they notify SCTS/SRTS about the type and weight of their mobility device or aide. Please ensure that wheelchairs, or other mobility devices, are clean, safe and in good working condition before traveling. For all riders' safety, no riders with a broken mobility device or one without working brakes should be transported; however, every attempt will be made to secure it safely. The driver must make sure that a mobility device is properly secured prior to moving. Passengers using

wheelchairs or motorized scooters must be secured using a four-point tie down system prior to moving the vehicle.

Passengers who use a motorized device may be asked to transfer to a regular seat for safety. These types of mobility aides are difficult to secure however, the choice to transfer to a regular seat is at the discretion of the passenger. The Sioux City Transit System Policy requires drivers to secure the lap belt to ensure the passenger's safety. Drivers will permit disabled individuals, ambulatory riders, and/or individuals using mobility devices, to use the lift to board a Paratransit Van when and if the individual requests such assistance.

Denial of service provision: Passengers who demonstrate an inability to control a motorized scooter/mobility device may be denied service after verbal warning, and formal written notice. Passengers who tip over, swerve, drive out of control, fall, run into other passengers, run into equipment or fixed objects, or who demonstrate that they cannot safely negotiate or remain stable while on the lift platform, are a threat to themselves and to others; they can be denied service until such time that they demonstrate significant improvement and control.

DRIVER ASSISTANCE

Paratransit drivers provide demand response service from origin to destination and are only responsible for providing passenger assistance with boarding, securement, and disembarking from the vehicle. Eligible riders are presumed to be riding independently or will arrange for a Personal Care Attendant (PCA) as necessary. Paratransit drivers may refuse to wait more than 5 minutes for someone to meet a passenger at the end of a trip on the basis that it puts them in the position of acting as the passenger's PCA, which is a fundamental alteration of service. The paratransit driver does not assist a Client inside a house, a nursing home, a building, or an adult daycare center, therefore, non-paratransit staff must be available to assist.

PERSONAL CARE ATTENDANTS (PCAs)

A Personal Care Attendant (PCA) is an individual who must accompany a Client for the Client to fulfill the purpose of his or her trip. For an individual to qualify as an attendant, the ADA certified Client must have established the need for a PCA during the ADA eligibility certification process. PCAs are always allowed to ride with an eligible Client and do not pay a fare. However, they must travel from the same point of origin to the same destination as the Client.

COMPANIONS

A companion is a friend, relative, or other person who is traveling with you but is not coming along to assist you. You must make a reservation for your companion when you make your own reservation. One companion is always allowed, but additional companions will be allowed only on a space available basis. Companions pay the

regular full fare to ride the vehicle with you. The companion travels from the same point of origin to the same destination.

SUBSCRIPTION SERVICE

Subscription service is available for regularly scheduled trips that occur at least three (3) times per week for a minimum period of six (6) months. Once an initial reservation is made there is no need for additional reservation calls. The number of subscription riders allowed is strictly limited by the ADA (no more than 50% of capacity).

VISITORS TO THE SIOUX CITY AREA

Disabled visitors to the SIOUX CITY area, who are certified by another public transit system, will have “Presumptive Eligibility” as a Sioux City Transit System Client. The visitor will be able to use the Paratransit services for a total of 21 days in a 365-day period. Visitors must show proof of their ADA Certification and Residency when boarding the Paratransit van. If the visitor extends a Sioux City visit beyond the 21-day period, they will need to apply for Sioux City Transit System ADA Certification.

GATED COMMUNITIES

If a pick-up location is within a gated community, it is the Client’s responsibility to arrange entry for the vehicle. When reserving the Paratransit ride, you must provide an entry code for the vehicle. Any changes should be reported to the scheduler, Siouxland Regional Transit System. If a vehicle is unable to enter the pick-up area or the Client fails to meet the vehicle outside of the community, the Client’s trip will be marked as a NO-SHOW.

SERVICE ANIMALS

Any guide dog, signal dog, or other animal individually trained to work or perform tasks for an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items is allowed. It is the responsibility of the rider to inform the dispatcher that they will be travelling with a service animal when making a reservation.

Non-service animals may travel on vehicles on a space-available basis, provided that the animal is properly secured on a leash, in a cage or container, and does not jeopardize the health, safety, or the sense of well-being of other passengers or the driver. For reasons of safety, the driver is not permitted to carry cages or containers of non-service animals or attempt to handle a Client’s service animal.

WINTER CONDITIONS

You are responsible for snow and ice removal around your home to make it accessible for the Paratransit Vehicle and driver. If the home is not accessible, the ride will be considered a late cancel. If you live in an apartment complex, it is your responsibility to make the apartment manager aware of the policy.

INCLEMENT WEATHER

Sioux City Transit System and its sub-contractor, Siouxland Regional Transit System reserve the right to suspend, modify or cancel service during periods of hazardous weather conditions that may jeopardize the safety of the Certified ADA Clients, employees, or the Paratransit vehicles. If you are planning to travel when inclement weather is predicted, take into considerations problems you may have in getting a return ride should service be suspended.

EMERGENCY PROCEDURES

In the event of an accident or emergency remain calm and follow the driver's instructions. Notify the Siouxland Regional Transit System Dispatcher or ride scheduler at telephone number: (712) 279-6919 immediately if you or another Client has become ill.

LOST AND FOUND

Clients are responsible for all personal items. Clients can call Sioux City Transit System Customer Service at Voice telephone number 279-6405, or at TDD number 800-735-2942 for personal items left on the vehicle. Found items will be held for 30 days. After that time, the articles will be disposed.

CARRY-ON PACKAGES

Carry-on packages are limited to five (5) grocery bags, or similarly sized packages. The weight of each individual package may not exceed 20 pounds. The Paratransit driver may help move packages on or off the vehicle at the same area that the Client boards the vehicle. Drivers are not permitted to carry packages to or from any building. If the Client brings more than the allowable number of packages, it is the Client's choice on whether to board with only five (5) bags and find alternative transportation to carry the remaining packages, or to decline the trip and be charged a late cancellation.

LIFE SUPPORT EQUIPMENT

Respirators, portable oxygen, and other life support equipment are permitted aboard the Paratransit vehicles. The driver will assist with securing this equipment; however, a driver is not permitted to operate or adjust the tank mechanisms. If you need

assistance with portable life support equipment, please arrange to bring a qualified attendant along with you.

PROTECTING YOUR PRIVACY RIGHTS

To protect your rights as an ADA Paratransit Client, no personal information will be provided to anyone without your prior written consent. Sioux City Transit System and Siouxland Regional Transit System employees are prohibited from discussing any information that pertains to you or any other ADA Certified Client.

RULES OF CONDUCT

The rules of conduct are designed to maximize the safety and comfort of Clients and drivers. Violations of these RULES of CONDUCT may subject the offender to penalties, up to and including a temporary denial of future requests for ADA Paratransit Services.

RULES of CONDUCT – subject to reasonable modification upon formal request.

1. NO eating, drinking, (unless required for health reasons) or smoking on board
2. NO riding under the influence of alcohol or illegal drugs
3. NO physical abuse of another passenger or the vehicle driver
4. NO abusive, threatening or obscene language or actions.
5. NO deliberate fare evasion
6. NO operating or tampering with any equipment while on board a Paratransit vehicle.
7. NO playing of radios, cassette players, compact disc players, MP3s, or other sound generating equipment aboard the vehicle unless a headset is used.
8. Head, arms and other body parts must be kept inside the vehicle. Objects must not be thrown from the vehicle windows.
9. Riders should maintain appropriate, reasonable personal hygiene.

Refusal of service may occur in situations where a rider engages in violent, seriously disruptive, or illegal conduct; or represents a direct threat to the health or safety of others. Further, refusal of service to an individual with disabilities shall not occur solely because the individual's disability results in involuntary behavior that may offend, annoy, or inconvenience others. 49 CFR 37.5(h). Engaging in any abusive behavior or causing physical injury to another Client or the driver may result in the IMMEDIATE SUSPENSION of Paratransit Services, and possible criminal prosecution.

RIGHT TO APPEAL SUSPENSIONS OF PARATRANSIT SERVICE

Individuals have the right to appeal any written notification they receive relating to their eligibility. The individual must appeal within 60 days of receipt of the notification. Paratransit Service will not be provided during this decision-making period. Upon receipt of all information, a final determination will be made within seven (7) business days. If

no decision is made by that time, on the eighth (8th) business day, service will be provided until a decision is made.

Within the ADA guidelines, and before any Certified Paratransit passenger can be suspended, the individual must have a chance to appeal. Therefore, before suspending an eligible Paratransit Certified Client, the following steps will be taken.

The offending individual will be notified in writing after the fourth (4th) chargeable incident which occurs within a 30-day period. The notification will serve as a warning that service may be suspended if another chargeable no-show or a late cancellation occurs. The basis of the proposed suspension will be specified in detail. It will include the dates of the chargeable no-show or a late cancellation, and it will state the proposed sanction, if any.

The individual will be provided with written notification that they will be suspended from Paratransit Services. The dates of the no-show and/or the late cancellation incidents will be cited. The effective dates of the suspension will be clearly spelled out. Suspensions will become effective no sooner than 60 days after notification. The appeal process provides the individual with the opportunity to be heard and to present any pertinent and mitigating information to the Transit Director – presently the Assistant City Manager for Administration. At the sole discretion of the Assistant City Manager, he may rather convene a Transit Appeals Committee of the Transit Advisory Board of Directors.

The **TRANSIT ADVISORY COMMITTEE (TAC)**. The Appeals Subcommittee is comprised of persons who are local paratransit customers, transit bus customers, SRTS representatives (the Paratransit sub-contractor), and other individuals who are knowledgeable of the Americans with Disabilities Act (ADA) of 1990. The Transit Advisory Committee meets only when an appeal has been filed and the Transit Director (**Assistant City Manager**) has chosen this approach. The committee's recommendations for approving or denying the appeal are final.

Appeals must be in writing and forwarded to:
SIOUX CITY TRANSIT SYSTEM (SCTS)
ATTN: TRANSIT DIRECTOR / ADVISORY COMMITTEE (TAC)
509 NEBRASKA STREET
PO BOX 447
SIOUX CITY, IOWA 51102-0447

REASONABLE MODIFICATION REQUESTS

NEW FTA Rule: Citation 49 CFR Parts 28, 37, 38, & 39 / Circular 4710.1 ADA Guidance. Effective Date: July 13, 2015.

Sioux City Transit System and its sub-contractor, Siouxland Regional Transit System (SRTS) follow the following new rules, policy, and procedures.

49 CFR Part 37.169, Process to be used by public entities providing designated public transportation service in considering requests for reasonable modification. (a)(1) "A public entity, Sioux City Transit System, (SCTS) provides designated public transportation. SCTS meets the reasonable modification requirement of 49 CFR 37.5(g) With respect to its fixed route, demand responsive, and complementary paratransit services. SCTS responds to requests for reasonable modification to policies and practices consistent with this section. SCTS makes information about how to contact the public entity to make requests for reasonable modification readily available to the public through the same means it uses to inform the public about its policies and practices. This process was effective July 13, 2015.

The SCTS process provides a means, accessible to and usable by individuals with disabilities, to request a modification in the entity's policies and practices applicable to its transportation services.

- (1) Individuals requesting modifications shall describe what they need to use the service.
- (2) Individuals requesting modifications are not required to use the term 'reasonable modification' when making a request.
- (3) Whenever feasible, requests for modifications will be made and determined in advance, before SCTS is expected to provide the modified service.
- (4) Where a request for modification cannot practicably be made and determined in advance, operating personnel of SCTS will decide of whether the modification should be provided at the time of the request. Appendix E of Part 37 will be a primary source for examples by which to decide.

Requests for modification of the SCTS policies and practices may be denied only on one or more of the following grounds:

- (1) Granting the request would fundamentally alter the nature of SCTS services, programs, or activities.
- (2) Granting the request would create a direct threat to the health or safety of others.
- (3) Without the requested modification, the individual with a disability is able to fully use SCTS services, programs, or activities for their intended purpose.

In determining whether to grant a requested modification, SCTS shall be guided by the provisions of 49 CFR Parts 27, 37, 37 Appendix E, 38, and 39.

In any case in which SCTS denies a request for a reasonable modification, SCTS shall take, to the maximum extent possible, any other actions (that would not result in a direct

threat or fundamental alteration) to ensure that the individual with a disability receives the services or benefit provided by SCTS.

SCTS is not required to obtain prior approval from the Department of Transportation for the process required by this section.

DOT agencies retain the authority to review the SCTS process as part of normal program oversight.

Source: [80 FR 13261, Mar. 13, 2015, as amended at 80 FR 26196, May 7, 2015]

PROCEDURE FOR REQUESTING REASONABLE MODIFICATION:

1. SCTS uses a written form titled: **SCTS ADA Reasonable Modification Form**. The form is available on the SCTS website, and through the administrative office. A copy is included in this document as APPENDIX A. Assistance will be provided to complete the form including language translation, Braille for the sight impaired, and any other means as required by a disability.
2. The individual should communicate the request face to face orally, by written letter, by E-mail (jallen@sioux-city.org), and/or by telephone 712-279-6405, for the Hearing Impaired: TTY 800-735-2942.
3. A response and decision for the request will be made within two (2) business days – longer if additional information or clarification is required.
4. An appeal uses the form titled: **SCTS Appeal Form**. The form is available on the SCTS website, and through the administrative office. A copy is included in this document as APPENDIX B. An appeal decision may be made after conference with applicable agencies including the FTA Region VII Office, IDOT Office of Public Transit, the Sioux City Attorney, and other Human Service Entities. Response to an appeal will be rendered within ten (10) business days.

DISCRIMINATION PROTECTIONS OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 AS AMENDED. TITLE VI COMPLAINT PROCEDURES:

Sioux City Transit System does not discriminate on the basis of race, color, or national origin. Services are open to the general public, including persons with disabilities, as required by the American's with Disabilities Act (ADA). For information on Title VI of the Civil Rights Act of 1964, please call 712-279-6405 or TDD/TTY 800-735-2942. If anyone feels there has been a violation of this policy, a complaint may be filed with the Sioux City Transit Director by phone at 712-279-6405, TDD/TTY 800-735-2942, or in writing to: 509 Nebraska Street, Sioux City, IA 51101. If you need this brochure in a different format or language, please contact our office.

The public may file a Title VI complaint with Sioux City Transit System, Siouxland Regional Transit System, and/or directly to the Sioux City Human Rights Commission through the Transit web site (www.sioux-city.org/transit), E-mail, US Postal Service mail, or telephone. Administrative staff will take complaints Monday through Saturday.

Complaints are recorded on the form: SCTS Discrimination Complaint Form The form is available on the SCTS website, and through the administrative office. A copy is included in this document as APPENDIX C.

The complaints are logged by the supervisor and distributed by category to the appropriate department head for review and comment.

Title VI complaints are adjudicated by the Sioux City Human Rights Commission. Every effort is made to address and resolve the complaint at the Transit Administrative Staff level.

APPEAL PROCESS

If the complaint cannot be resolved at the local level, the contact information for the Region VII Civil Rights Officer and the Director, FTA Office of Civil Rights, Washington D.C. is provided.

The Title VI complaint procedures are published on the Transit web site, in the fixed route and Paratransit vehicles, and available through the Sioux City Transit System Administrative Office. The Title VI Complaint procedures include the contact, address and phone numbers for Sioux City Transit System, Sioux City Human Rights Commission, the Region VII Civil Rights Office in Kansas City, Missouri, and the Federal Transit Administration in Washington, D.C.

CONTRACTOR OVERSIGHT

To ensure that all the provisions of the ADA and FTA are being carried out, Sioux City Transit System provides direct oversight actions which include in person meetings, statistical reports, and regular observation of the safety and service components. Oversight tasks involve a monthly check on complaints by passengers, the average telephone hold time when making a reservation for a ride, the denial of a requested trip, and a ride that may have taken excessive time, more than 60 minutes. Vehicle preventative maintenance is reviewed, along with driver actions to ensure that all equipment is operable every operating day. All incidents & vehicle accidents are reported and reviewed. Drivers are subject to random drug & alcohol testing.

Sioux City Transit System is committed to providing you with high quality Paratransit Service.

CONTACT INFORMATION:

Sioux City Transit System voice: 712-279-6405 or TDD/TTY 800-735-2942.

Sioux City Human Rights Commission Director: 712-279-6986

FTA Region VII, Civil Rights Officer, 901 Locust, Street, Suite 404, Kansas City, Mo, 64106, 816-329-3928: Fax: 816-329-3921:

Director, FTA Office of Civil Rights, 400 7th Street SW, Room 9102, Washington, D.C., 202-272-2004 Voice & 202- 272-2074 TTY.

APPENDIX – A

Request for Reasonable Modification of Public Transit Services Form

NAME: _____

ADDRESS: _____

CITY / STATE / ZIP CODE: _____

DAYTIME PHONE NUMBER: _____

E-MAIL (If Applicable): _____

A) PLEASE DESCRIBE AND DEFINE YOUR REQUEST AS SPECIFICALLY AS POSSIBLE FOR PUBLIC TRANSIT SERVICE MODIFICATION – POLICY, PROCEDURE, SERVICE PROVISIONS, MODE, OTHER:

B) PLEASE IDENTIFY THE MODE OF SERVICE (FIXED ROUTE OR PARA TRANSIT), THE FIXED ROUTE(S), THE DAY(S) OF THE WEEK, AND THE TIME(S) WHEN THE MODIFICATION WOULD BE REQUIRED?

C) PLEASE PROVIDE DETAILED BACKGROUND AND REASONS TO SUPPORT YOUR NEED FOR A MODIFICATION.

SIGNATURE: _____ DATE: _____

SCTS PERSONNEL USE:

RECEIVED BY: _____ DATE: _____

APPENDIX – B

Appeal Request of Reasonable Modification or Complaint Decision

NAME: _____

ADDRESS: _____

CITY / STATE / ZIP CODE: _____

DAYTIME PHONE NUMBER: _____

E-MAIL (If Applicable): _____

SELECT ONE: I AM APPEALING A COMPLAINT.

I AM APPEALING A REASONABLE MODIFICATION DECISION

PLEASE DESCRIBE AND DEFINE YOUR APPEAL AS SPECIFICALLY AS POSSIBLE.

IN YOUR OPINION, WHAT DETERMINANT(S) REGARDING SCTS POLICY, PROCEDURE, SERVICE PROVISIONS, OR OTHER FACTORS ARE NOT BEING CONSIDERED?

WHY IS THE COMPLAINT RESOLUTION OR MODIFICATION DECISION NOT FAIR OR EQUITABLY DETERMINED?

I AFFIRM THAT I HAVE ACCURATELY DESCRIBED THE ABOVE CHARGE AND READ IT. IT IS TRUE TO MY BEST KNOWLEDGE.

SIGNATURE: _____ DATE: _____

SCTS PERSONNEL USE:

RECEIVED BY: _____ DATE: _____

Sioux City Transit System Discrimination Complaint Form Title VI and ADA

| | | |
|---|--------------------------------------|-------------------------------------|
| Section I: | | |
| Name: | | |
| Address: | | |
| Telephone (Home): | Telephone (Work): | |
| Electronic Mail Address: | | |
| Accessible Format Requirements? | <input type="checkbox"/> Large Print | <input type="checkbox"/> Audio Tape |
| | <input type="checkbox"/> TDD | <input type="checkbox"/> Other |
| Section II: | | |
| Are you filing this complaint on your own behalf? | <input type="checkbox"/> Yes* | <input type="checkbox"/> No |
| <i>*If you answered "yes" to this question, go to Section III.</i> | | |
| If not, please supply the name and relationship of the person for whom you are complaining. | | |
| Please explain why you have filed for a third party: | | |
| Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Section III: | | |
| I believe the discrimination I experienced was based on (check all that apply): | | |
| <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Disability | | |
| Date of Alleged Discrimination (Month, Day, Year): _____ | | |
| Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form. | | |
| _____ | | |
| _____ | | |
| _____ | | |
| Section IV: | | |

