

Vehicle Operator Procedure

Fixed Route Service

Americans with Disabilities Act

49 CFR Part 37 Subpart G

January 2015

Accessibility Features in Operable Condition

BMTA shall maintain in operative condition those features of vehicles that are required to make the vehicles readily accessible to and usable by individuals with disabilities. These features include, but are not limited to, lifts and other means of access to vehicles, securement devices, signage and systems that facilitate communications with persons with impaired vision or hearing.

BMTA has established a system of regular and frequent maintenance checks of lifts sufficient to determine if they are operative.

If the vehicle operator discovers an inoperable lift/ramp or securement devices while a bus is in service and when encountering riders who need to use the lift/ramp or need the securement devices and the next accessible vehicle on the route exceeds 30 minutes, BMTA must provide alternative transportation to waiting riders within 30 minutes.

In this situation, the vehicle operator should:

- Inform the rider that they are contacting dispatch to obtain further instructions
- Contact dispatch to receive alternative transportation plan for the rider and how long the rider should expect to wait.
- Communicate the alternative transportation plan to rider.
- Fill out incident report as soon as possible.

Adequate Vehicle Boarding and Disembarking Time

Vehicle Operators must accommodate riders who need extra time. This applies to riders who use wheelchairs as well as others with ambulatory or sensory disabilities who may need extra time to get to a seat or disembark.

Priority Seating and the Securement Area

It is required that transit buses have a designated priority seating area/wheelchair securement area. When an individual with a disability enters a vehicle, and because of a disability, the individual needs to sit in a seat or occupy a wheelchair securement location, vehicle operators must request riders in the priority seating area to move in order to allow the individual with a disability to occupy the seat or securement location. Vehicle Operator should not attempt to enforce the request; it should not be assumed that the rider in the priority seating area is not disabled themselves. Vehicle Operator should notify dispatch that there is no available priority seating for a boarding

passenger. Although it is not a requirement, BMTA should attempt to provide alternate transportation for the passenger. BMTA allows placement of large items such as strollers in wheelchair securement areas as long as a rider that uses a wheelchair or other mobility device does not need to use those areas.

Use of Lifts/Ramps

Definition of a wheelchair- a mobility aid belonging to any class, three or more – wheeled device, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered.

Allowable Wheelchairs- For all wheelchair/occupant combinations, if the lift/ramp and vehicle can accommodate the wheelchair, BMTA must carry the wheelchair and occupant. Bay Metro Transit may decline to carry a wheelchair/occupant if the combined weight exceeds that of the lift specifications or if the carriage of the wheelchair is demonstrated to be inconsistent with legitimate safety requirements.

Standees on Lifts/Ramps- Vehicle Operators shall permit individuals with disabilities who do not use wheelchairs to use lift/ramp to enter the vehicle. This applies to riders who use canes, crutches, walkers, or other assistive devices. It also includes riders with disabilities who do not use any type of assistive devices. If riders ask to use lift or ramps, operators must honor such requests. They may not ask rider to disclose their disabilities before being allowed to board.

Required Assistance- Operators must assist any rider as needed assuming the level of assistance is reasonable and does not constitute a direct threat to the health or safety of the operator. Operators are not required to provide attendant-type services such as carrying a rider's packages. Vehicle Operators are required to assist riders who use manual wheelchairs on and off lift platforms, or up and down ramps. Operators are not required to assume the controls of power wheelchairs to assist riders with boarding or deboarding.

Use of Securement Systems

All buses over 22 foot in length must have at least two securement locations for wheelchairs. Buses that are 22 foot in length or less only need one securement location. A lap belt and shoulder harness must be made available for each securement location. It is required that all wheelchairs be properly secured using the provided securement system to ensure that the wheelchair remains within the securement area. Vehicle Operators cannot require a passenger in a wheelchair to use a lap belt and/or shoulder harness.

Requesting Riders to Transfer to a Seat- Although it is required that a wheelchair be secured, it may be recommended to a user of a wheelchair that they transfer to a seat for safety. This situation may occur if the wheelchair is top-heavy (i.e. many styles of

Amigos) or otherwise unstable because it is not suited for the securement device when the rider occupies the wheelchair. Vehicle Operators may not require the individual to transfer, but should express their concern and make the request to transfer, if possible.

Stop Announcements and Route Identification

On BMTA fixed route systems, operator shall announce stops as follows.

- Vehicle Operators are required to announce at transfer points with other fixed routes, major intersections and destination points, and at intervals along a route sufficient to permit individuals with visual impairments or other disabilities to be oriented to their location.
- Vehicle Operators shall announce any stop at the request of an individual with a disability.

Monitoring Stop Announcements for Compliance- BMTA is required to ensure compliance with the stop announcement regulation and will do so through field observation. At various times on a quarterly basis, BMTA personnel or volunteer riders will ride and report Vehicle Operator compliance to the regulation.

Personal Care Attendants

BMTA cannot require that a person with a disability travel with a personal attendant. An attendant is a person who provides personal care and / or assistance to an individual with a disability. ADA does not require free fares for those attendants on fix route. It is recommended that operators contact there dispatcher if they have any questions pertaining to PCA.

Service Animals

Service animals are animals that are individually trained to perform tasks for people with disabilities - such as guiding people who are blind, alerting people who are deaf, puling wheelchairs, alerting and protecting a person who is having a seizure, or performing other special task. Service animals are working animals not pets.

- Operators may ask if the animal is a service animal, but cannot require special ID cards for the animal or ask about a person disability.
- A person with a disability cannot be asked to remove his service animal from the premises unless (1) the animal is out of control and the animal's owner does not take effective action to control it. (2) The animal poses a direct threat to the health or safety of others. All operator must report any said incidents to their dispatcher.

Respirators and Portable Oxygen

Passengers are permitted to bring a respirator or oxygen supply on board any BMTA vehicle if they are needed. The Department of Transportation rules on the transportation of hazardous materials allows for the use of respirators and portable oxygen supplies

and BMTA cannot prohibit these devices. BMTA will require respirators and oxygen tanks be in good working condition and that all oxygen tanks be sourced.