

STAFF REPORT

SUBJECT: Paratransit Operating Policy Change

FROM: Christy Wegener, Director of Planning and Communications

DATE: June 27, 2016

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**Action Requested**

Approval

**Background**

Staff is seeking to update the paratransit operating policy and paratransit application to include language about mandatory in-person interviews/assessments as a part of the eligibility process. Additionally, language has been incorporated to address cancelled or no-showed in-person interview appointments.

**Discussion**

The current LAVTA paratransit policy states that in-person interviews/assessments may be included in the eligibility process. Staff is seeking a modification of the policy language to require interviews and assessments for new or recertifying paratransit applicants. Additionally, staff is recommending adding in policy language to reflect clients who cancel or no-show their interviews.

The following language has been added to Section 3.2 of the proposed Paratransit Policy (Attachment 1)

- 3.2.1 The Dial-A-Ride eligibility determination process includes submittal and review of a paper application and an in-person interview/functional assessment. If the applicant needs a ride to/from the assessment it will be provided free of charge to the applicant.
- 3.2.2 If the applicant needs to cancel the in-person assessment appointment he/she should do so as soon as possible, but at least one hour before the scheduled interview time. If the applicant requested a free Dial-A-Ride transportation to/from assessment he/she need to cancel the ride at least one hour before the scheduled pick-up window.

If the applicant cancels or no-shows the in-person assessment the assessor will attempt to call at least once to reschedule. If the applicant or a caretaker do not return the call within a seven day period after the no-show/cancellation the

assessor will send a letter stating that the application is incomplete and he/she should re-schedule the interview. In cases where the applicant was previously granted a presumptive temporary eligibility cancels or no-shows the in-person assessment and does not reschedule within a seven day period, he/she will lose his/her privilege to ride on ADA paratransit until the assessment has been completed.

Staff is also recommending making changes to Section 3.2.4, addressing the timeframe to process applications:

- 3.2.4 The eligibility determination will be made within 21 days of receipt of a complete application and the completion of an in-person assessment interview.

The paratransit application (Attachment 2) has been updated to reflect the following language:

Page 2: The application must be properly and fully completed. As a part of the application process, Wheels requires an in-person interview. The in-person interview may include a functional test to determine your ability to take a public transit trip, such as being capable of walking to a bus stop, reading signs etc. Your application will be processed within 21 days after the complete application (including the doctor's verification on pages 11-13) has been received and the in-person interview conducted.

### **Recommendation**

Endorse and forward to the Board of Directors for approval.

Attachments:

- 1) Proposed Paratransit Policy June 2016
- 2) Proposed Paratransit Application

# LIVERMORE AMADOR VALLEY TRPANSIT AUTHORITY

## WHEELS DIAL-A-RIDE OPERATING POLICY

**Policy Adoption Date – 7-6-2015**

This Wheels Dial-a-Ride Operating Policy (“Policy”) consolidates and clarifies LAVTA policies and regulations related to the Wheels Dial-A-Ride service. This Policy has been developed to meet or exceed all applicable state and federal laws and regulations.

### **1. SERVICE CHARACTERISTICS**

#### **1.1 ADA Paratransit**

Public transportation systems that provide fixed route transit service are required by law to provide a complementary paratransit service. Pursuant to this mandate, LAVTA provides the Wheels Dial-A-Ride paratransit service.

#### **1.2 Demand Response**

Dial-A-Ride is a demand-responsive transportation service.

#### **1.3 Shared Ride**

Dial-A-Ride is a public shared ride transportation service.

#### **1.4 On-Board Travel Times**

A trip on a Dial-A-Ride paratransit vehicle takes approximately the same amount of time as a similar trip on a Wheels fixed route bus, including travel time to and from a bus stop, and any transfer time.

#### **1.5 Trip Priorities**

Dial-A-Ride does not assign priorities by trip purpose.

#### **1.6 Door-to-Door Service**

Dial-A-Ride is a door-to-door, origin-to-destination service subject to the limits described in Section 2 of this Policy.

#### **1.7 Passenger Assistance**

Subject to the limits described in Section 2 of this Policy, drivers will provide assistance in boarding and deboarding the vehicle, upon request. Assistance may include helping a passenger to or from the door of their origin or destination (no further than public lobbies), guiding a passenger to or from the vehicle, lending a steady arm for balance, finding a seat, or securing a mobility aid.

Drivers will not provide assistance that involves lifting or carrying a passenger. Passengers in need of extensive assistance should arrange to travel with a Personal Care Attendant (PCA).

Driver assistance with grocery and shopping bags of reasonable weight or luggage is limited to two (2) trips (four bags total) from origin to vehicle, and from vehicle to destination. Driver may set bags outside a front door, but will not enter a private residence.

## **1.8 Service Area**

Dial-A-Ride service area is complementary to the LAVTA fixed route service area and generally consists of the cities of Livermore, Dublin, and Pleasanton. See *Attachment A* for the Dial-A-Ride service area map

### **1.8.1. Livermore Veterans Affairs Medical Center Service Area Extension**

The Livermore Veterans Affairs Medical Center is located in unincorporated Alameda County, south of the City of Livermore. Direct service between the Dial-A-Ride service area and this medical facility is provided as an extension of the regular service area.

### **1.8.2. Southern portion of San Ramon Service Area Extension**

LAVTA and the Central Contra Costa Transit Authority have a reciprocal agreement that allows each operator to provide direct service from one system to the other, allowing a passenger to avoid the transfer at the Dublin/Pleasanton BART station if the transfer would have an undue negative effect on the passenger.

As a general rule, given the very close proximity and boundaries of the two service areas, the reciprocal agreement provides for direct service between the Dial-A-Ride service area and the southern portion of San Ramon, bordered by the I-680 to the West, Norris Canyon Road to the North, Alcosta Boulevard to the East, and the City of Dublin city limits to the South.

## **1.9 Service Hours**

Dial-A-Ride service operates during the same days and hours as Wheels fixed-route service.

## **2. DRIVER AND RIDER CODE OF CONDUCT**

### **2.1 Drivers are not Permitted to:**

- a. Escort a passenger beyond the ground floor lobby of a public building, beyond the lobby of a multi-unit residential building, or beyond the front door of a private residence.
- b. Perform any personal care assistance for any passenger. Examples include assisting with dressing, grooming, or administering medicine.
- c. Accept tips or gratuities.
- d. Wait for a passenger to make a stop to conduct business, such as at an ATM/Cash machine or pharmacy.
- e. Smoke, eat, or drink (except for water) in the vehicle while servicing a trip.

- f. Use a cell phone for personal calls, play loud music, or wear headphones.
- g. Neglect acceptable standards of personal hygiene.
- h. Dress in an unprofessional manner.
- i. Forget to wear their badge.
- j. Be rude or harassing to the passengers.
- k. Commit violent or illegal acts.

## **2.2 Riders are not Permitted to:**

- a. Eat or drink (except for water) on vehicles, unless doing so is medically necessary.
- b. Play radios or music at a volume loud enough to be heard by the driver or other passengers.
- c. Litter on the vehicles.
- d. Neglect acceptable standards of personal hygiene.
- e. Distract the driver or interfere with the operations of the vehicle or equipment.
- f. Block the aisle with their mobility aids.
- g. Carry fireworks, flammable liquids, or weapons aboard the vehicle.
- h. Use abusive, threatening, or obscene language to other riders or any LAVTA/Dial-A-Ride staff.
- i. Commit seriously disruptive (including violent) or illegal acts.

## **3. ELIGIBILITY**

### **3.1 Eligibility Definitions**

- 3.1.1.** Individuals who, because of physical or developmental impairment, cannot utilize fixed route transit, no matter how accessible, are eligible for Dial-A-Ride service. This eligibility requirement is generally synonymous with inability to “navigate the system.”
- 3.1.2.** Those individuals who can use fixed route transit, but who, because of physical or developmental impairment, cannot access their desired route, or cannot access their final destination after leaving a fixed-route vehicle, are also eligible for Dial-A-Ride service.

### **3.2 Eligibility Determination**

- 3.2.1.** The Dial-A-Ride eligibility determination process includes submittal and review of a paper application and an in-person interview/functional assessment. If the applicant needs a ride to/from the assessment it will be provided free of charge to the applicant.
- 3.2.2.** If the applicant needs to cancel the in-person assessment appointment he/she should do so as soon as possible, but at least one hour before the scheduled interview time. If the applicant requested a free Dial-A-Ride transportation

to/from assessment he/she need to cancel the ride at least one hour before the scheduled pick-up window.

If the applicant cancels or no-shows the in-person assessment the assessor will attempt to call at least once to reschedule. If the applicant or a caretaker do not return the call within a seven day period after the no-show/cancellation the assessor will send a letter stating that the application is incomplete and he/she should re-schedule the interview. In cases where the applicant was previously granted a presumptive temporary eligibility cancels or no-shows the in-person assessment and does not reschedule within a seven day period, he/she will lose his/her privilege to ride on ADA paratransit until the assessment has been completed.

**3.2.3.** LAVTA will process ADA Paratransit applications for the residents of Livermore, Dublin, Pleasanton, and Sunol.

**3.2.4.** The eligibility determination will be made within 21 days of receipt of a complete application and the completion of an in-person assessment interview.

### **3.3 Children's Eligibility**

**3.3.1.** To be determined eligible for Dial-A-Ride service, a child with a disability who is not able to use fixed-route bus service independently must show that his or her disability -- rather than age -- causes the child's inability to use fixed-route bus service independently

**3.3.2.** For children younger than five (5) years of age, LAVTA evaluates the functional ability of the *child with an adult*, as opposed to the child alone. LAVTA certifies a child with an adult as paratransit-eligible if the child's disability prevents him or her from using fixed-route bus service when accompanied by an adult.

**3.3.3.** In the event a child younger than five years of age with a disability is able to use fixed-route bus service when accompanied by an adult, the child would generally not be eligible for paratransit.

### **3.4 Visitor Eligibility**

**3.4.1.** The right to paratransit services as mandated by ADA cannot be restricted based on where the individual lives. An individual seeking to use Dial-A-Ride services does not have to reside in LAVTA service area and does not have to be ADA paratransit certified by LAVTA. LAVTA will honor individuals' ADA paratransit certification by other United States public transit agencies.

**3.4.2.** If the individual is not able to produce documentation of ADA certification by another transit system, but claims to be eligible for service, service will

be provided. However, LAVTA may request proof that the individual is not a resident, and in some cases (for hidden impairment conditions), medical documentation may be required.

- 3.4.3.** Under no circumstances is a visitor to the system entitled to service beyond twenty-one (21) days, in any combination, during any 365-day period, beginning with the visitor's first use of the service. Visitors intending to use Dial-A-Ride services for more than this limit should apply for Dial-a-Ride eligibility through LAVTA directly.

### **3.5 Eligibility Denials and Appeals**

If an applicant does not agree with the eligibility decision made by LAVTA in response to his/her application and interview, he/she must request an appeals hearing in writing within sixty (60) days of the date of the eligibility determination notification letter. The applicant may bring an advocate or personal representative to the appeals hearing. Complimentary Dial-A-Ride service will be provided both to and from the appeals hearing.

- 3.5.1.** The request for an appeal must be forwarded to LAVTA's Executive Director. A response by the Executive Director will be completed within thirty (30) days of the receipt of communication of the request. The response will be provided in a written or accessible format. If the decision is not made by the 31st day, appellant may request use of paratransit services until a decision is made.

## **4. MOBILITY AIDS**

Passengers using mobility aids will be accommodated whenever safely possible. A passenger who uses a mobility aid may be required to attend an in-person assessment at the LAVTA offices (at no cost to the passenger).

### **4.1 Mobility Aids Characteristics**

#### **4.1.1. Weight**

A mobility aid, when occupied by a user that exceeds the specified maximum weight capacity of the lift/ramp on a Dial-A-Ride vehicle may not be accommodated. Occupied mobility aids exceeding the weight capacity of the ramp/lift will be evaluated on a case-by-case basis.

#### **4.1.2. Dimensions**

Mobility aids will be accommodated on paratransit vehicles as long as the mobility aid and user do not exceed the size of the mobility aid securement area on the vehicle. As a safety requirement, mobility aids cannot block the aisle and cannot present a physical threat to other passengers.

### **4.2 Mobility Aid Securements and Passenger Restraints**

Wheelchairs and other mobility aids must be secured to the Dial-A-Ride vehicles, ideally via a four-point tie-down system, and passengers must use the appropriate personal restraints. Passengers refusing the securements and/or restraints will be asked to deboard the vehicle.

#### **4.3 Segway Use**

Segways (or similar personal assistive mobility devices) are only permitted on-board when used as a mobility aid. Segways used for leisure will not be allowed on Dial-A-Ride vehicles. Segways must be secured on Dial-A-Ride vehicles.

### **5. RESERVATIONS**

#### **5.1 Scheduling Reservations**

Reservations can be made one (1) to seven (7) days in advance. Reservations can be made by phone by calling (925) 455-7510 from 8:30 a.m. to 5:00 p.m. any day of the week, or by using the Book-A-Trip feature on LAVTA's website.

#### **5.2 Standing Orders/Subscription Rides**

For their repeated trips, passengers may set up a Standing Order/Subscription Ride. A Standing Order is an ongoing reservation for a trip ("subscription trip") that has the same starting and ending location and the same pick-up day and time.

Standing Order requests cannot always be fulfilled. To allow for equal access to service for all passengers, federal paratransit regulations provide that subscription trips may not absorb more than 50% of total system capacity at any time.

##### **5.2.1. Standing Orders During Holidays**

Except for trips to and from dialysis, Standing Orders will not be served on the following holidays: New Year's Day, Martin Luther King Jr. Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, the Day after Thanksgiving, Christmas Eve, and Christmas Day. Individual reservations on these holidays can still be made per the regular scheduling process.

#### **5.3 Reservation Request**

Passengers have the option of requesting a reservation based on EITHER the desired pick-up time OR the desired drop-off time.

#### **5.4 Negotiating Pick-Up Time**

If the desired pick-up time cannot be accommodated, the reservationist may offer alternative pick-up times ranging from one (1) hour before to one (1) hour after the requested pick-up time.

#### **5.5 Changing a Reservation**

To make changes to existing reservations, passengers must notify Dial-A-Ride at least one (1) day before the scheduled trip.



## **5.6 Canceling a Trip**

Passengers must cancel the trips they do not plan to take as soon as possible and at least one (1) hour before the scheduled pick-up window to avoid penalties.

## **6. SERVICE DELIVERY**

### **6.1 Fares**

Fares must be paid at the beginning of the ride. Passengers may pay with pre-purchased Dial-A-Ride tickets or cash (exact change).

### **6.2 Pick-Up Window**

The pick-up window is defined as the thirty (30) minute time period starting from the scheduled pick-up time. The pick-up is considered to be on time if the vehicle arrives anytime within the 30 minute pick-up window. For example, if the pick-up is scheduled for 2:30 p.m., the vehicle may arrive anytime between 2:30 p.m. and 3:00 p.m. and be considered on time.

### **6.3 Five (5) Minute Rule**

After the vehicle arrives within the thirty (30) minute pick-up window, the passenger must be ready within five (5) minutes of notice of the vehicle's arrival. If the passenger does not meet the vehicle when it arrives, the driver will attempt to find the passenger and dispatch will attempt to telephone the passenger. If the passenger cannot be located or chooses not to start boarding within five (5) minutes, the driver may leave.

### **6.4 Early Pick-Ups**

If the vehicle arrives before the thirty (30) minute pick-up window, the passenger may choose to take the trip early or have the driver wait until the start of the confirmed pick-up window.

### **6.5 Late Pick-Ups**

If the vehicle is expected to be more than thirty-five (35) minutes late, the dispatcher should call the passenger as a courtesy. If the ride arrives after the 30-minute pick-up window, the passenger may decline to take the trip without penalty.

### **6.6 Same Day Trip Changes**

If an appointment (e.g., medical or dental) takes longer than expected, the passenger or office personnel should call (925) 455-7510 as soon as possible to give a new pick-up time. Due to the nature of Dial-A-Ride's prescheduled operation, the new desired pick-up time cannot be guaranteed in this situation.

### **6.7 Passenger No-Show and Late Cancellation**

#### **6.7.1. Definitions**

**6.7.1.1** “No Show”

A trip for which a passenger is not present at the prearranged time and prearranged location, and has not notified Dial-A-Ride about a schedule change, constitutes a “No Show.” If a schedule change or cancellation is required, passengers are expected to inform Dial-A-Ride no less than one (1) hour prior to the beginning of the prearranged pick-up window.

**6.7.2.1** “Late Cancellation”

If a passenger informs Dial-A-Ride of a schedule change or cancellation less than one (1) hour prior to the beginning of a prearranged pick-up window, the patron will receive a “Late Cancellation.”

**6.7.2. Infractions**

Both “No-Shows” and “Late Cancellations” are considered equal infractions.

**6.7.3 Excused No-Shows and Late Cancellations**

The following are circumstances in which the No-Show or Late Cancellation is excused:

- a. Late arrival by a Dial-A-Ride vehicle (outside the prearranged window);
- b. The Dial-A-Ride vehicle is dispatched to a wrong address or entrance of a building;
- c. A verified worsening of a passenger with a variable condition (medical or otherwise) which prevented the patron from calling at least one (1) hour in advance;
- d. A verified family emergency which prevented the passenger from calling at least one (1) hour in advance;
- e. Other verified circumstances that make it impracticable for the passenger to travel at the scheduled time and also for the passenger to notify dispatch before one (1) hour of the beginning of the pick-up window to cancel the trip.

**6.8 Do Not Leave Alone Policy**

LAVTA strongly recommends that passengers who cannot wait alone to be met at, or let into, their destinations be accompanied by a Personal Care Attendant (PCA). PCAs travel for free with a paying ADA paratransit passengers. The Do Not Leave Alone Policy is provided for those times when a PCA is not available and the passenger is not able to wait alone.

**6.8.1. When The Driver Will Wait**

For passengers travelling alone who cannot wait alone at their destinations, the driver will wait with the passenger until the connecting transit agency arrives or a person at the destination receives the passenger if both of the following conditions have been met.

- 6.8.1.1** The passenger has a Do Not Leave Alone note in his/her Dial-A-Ride file.

- 6.8.1.2** As part of the trip reservation, LAVTA was informed of the need for an attended transfer or drop-off.

**6.8.2. Receiver Not Present Infraction**

If the person responsible to receive the Do Not Leave Alone rider is not present within five (5) minutes of the arrival of the vehicle, the trip will be recorded as a Receiver Not Present infraction. Passengers will be notified when a trip is recorded as a Receiver Not Present infraction. Passengers will be given an opportunity to discuss their trip records with, and present information on the circumstances concerning the trip to LAVTA staff.

**6.8.3. Excused Receiver Not Present Infraction**

The passenger will not receive an infraction if the receiver is a connecting paratransit operator.

**7. ACCOMPANIED PASSENGERS**

**7.1 Personal Care Attendants (PCAs) and Companions**

Dial-A-Ride passengers may be accompanied by a PCA at no charge to the passenger or PCA. Dial-A-Ride passengers may also be accompanied by one or more companions. Companions must pay full Dial-A-Ride fares.

Reservations for PCAs and/or companions must be made when scheduling the Dial-A-Ride-eligible passenger's trip. Additional companions beyond the first companion are accommodated on a space-available basis. Companions and PCAs must ride to and from the same locations and at the same times as the Dial-A-Ride-eligible passenger.

**7.2 Children**

All children who are under eight (8) years old, unless they are at least 4-foot, 9-inches tall, must travel in a child safety seat in order to comply with California State Law. Parents or guardians must provide their own child safety seat and take it with them when they exit the vehicle. Dial-A-Ride does not provide or install child safety seats.

**7.3 Service Animals**

The passenger may bring a service animal that has been individually trained to work or perform tasks for the passenger with a disability. The service animal must be under its owner's control at all times and may not display aggressive or other seriously disruptive behavior, or behavior that poses a direct threat to the health or safety of others. Passengers must specify during the reservation process if they will be accompanied by a service animal.

**8. NEIGHBORING PARATRANSIT OPERATORS**

**8.1 Pleasanton Paratransit Service**

According to an agreement with the City of Pleasanton, the Pleasanton Paratransit Service also provides demand-responsive service within the LAVTA service area, but only within the City of Pleasanton. The Pleasanton Paratransit service is operated by the City of Pleasanton and is a separate entity from Dial-A-Ride.

## **8.2 County Connection LINK and East Bay Paratransit**

LAVTA's ADA paratransit passengers may use ADA paratransit services anywhere in the nine (9) San Francisco Bay Area counties where such services are available. Passengers may schedule trips that take them into the service area of other Bay Area ADA paratransit providers. Dial-A-Ride has agreements with neighboring paratransit operators to facilitate transfers between service areas.

- 8.2.1.** LAVTA coordinates transfer trips with East Bay Paratransit and County Connection LINK.
- 8.2.2.** The designated transfer point between Dial-A-Ride and the neighboring East Bay Paratransit and County Connection LINK operators is at the East Dublin/Pleasanton BART Station.
- 8.2.3.** The drivers for East Bay Paratransit and County Connection LINK do not have policies under which they will wait with a passenger after de-boarding.
- 8.2.4.** When Dial-A-Ride receives a passenger from East Bay Paratransit or County Connection LINK at the Dublin/Pleasanton BART station, fare is NOT collected for the second part of the trip.

## **9. REASONABLE MODIFICATIONS**

- 9.1** LAVTA considers all requests for reasonable modifications of its policies, practices, or procedures, including those set forth herein, when necessary to avoid discrimination on the basis of disability. LAVTA is not required to grant requests for reasonable modifications that would fundamentally alter the nature of Dial-A-Ride services, programs or activities; are not needed for access to LAVTA services, programs or activities; or present a direct threat of injury to other persons or property.
- 9.2** Any person seeking a reasonable modification of LAVTA or Dial-A-Ride policies, practices or procedures, desiring to appeal a reasonable modification determination, or who believes they have been discriminated against by LAVTA on the basis of a disability may submit a modification request, appeal, or complaint for handling in accordance with related LAVTA policies.
- 9.3** The designated responsible employee for the reasonable modification requests is LAVTA's Paratransit Planner.

## **10. SANCTIONS**

### **10.1 Progressive basis**

LAVTA will sanction Dial-A-Ride passengers progressively based on the cumulative infractions described above, and as further set forth below, over a rolling twenty-four (24) month period.

## 10.2 Sanctionable Offenses

### 10.2.1. Excessive Late Cancellations and No-Show Infractions

Passengers are subject to sanctions if they have 20% or more No-Shows and/or Late Cancellations (calculated by dividing validated No-Shows and Late Cancellations by actual “taken trips”) within any given month (from the 1<sup>st</sup> to the last day), AND at least three (3) No-Shows and Late Cancellations during that month.

### 10.2.2. Excessive Receiver Not Present Infractions

Passengers are subject to sanctions if they have received Receiver Not Present infractions two (2) or more times within any given month (from the 1<sup>st</sup> to the last day) or four (4) or more times within a six (6) month period.

## 10.3 Progressive Sanction Penalties

10.3.1. 1<sup>st</sup> Sanction – Passenger will receive a phone call from the LAVTA staff. Staff will detail the specific dates and times of No-Shows/Late Cancellations or Receiver Not Present Violations, will discuss the impact to the system caused by ineffective use, and will describe the progressive sanctions if the pattern of these violations continues.

10.3.2. 2<sup>nd</sup> Sanction – Passenger will receive a formal written correspondence from LAVTA detailing the specific dates and times of the No-Shows/Late Cancellations or Receiver Not Present Violations. This correspondence will warn the passenger that another month of excessive violations will result in a 15-day suspension of service.

10.3.3. 3<sup>rd</sup> Sanction – Passenger will receive formal notification from LAVTA of a fifteen (15) day suspension of service. This correspondence will detail the specific dates and times of the No-Shows/Late Cancellations or Receiver Not Present Violations as well as the proposed suspension dates. The proposed suspension dates will be no sooner than twenty (20) days after sending the written correspondence to provide time for an appeal by the passenger. The notification shall warn the patron that another month of excessive violations will result in a 30-day suspension of service.

10.3.4. 4<sup>th</sup> Sanction – Passenger will receive formal notification from LAVTA of a thirty (30) day suspension of service. This correspondence will detail the specific dates and times of the No-Shows/Late Cancellations or Receiver Not Present Violations as well as the proposed suspension dates. The proposed suspension dates will be no sooner than twenty (20) days after

sending the written correspondence to provide time for an appeal by the passenger. This notification will warn the passenger that another month of excessive violations will result in a 60-day suspension of service.

**10.3.5. 5<sup>th</sup> Sanction** – Passenger will receive formal notification from LAVTA of a sixty (60) day suspension of service. This correspondence will detail the specific dates and times of the No-Shows/Late Cancellations or Receiver Not Present Violations as well as the proposed suspension dates. The proposed suspension dates will be no sooner than twenty (20) days after sending the written correspondence to provide time for an appeal by the passenger. This notification will warn the passenger that another month of excessive violations will result in a 90-day suspension of service.

**10.3.6. 6<sup>th</sup> Sanction** - Passenger will receive formal notification from LAVTA of a ninety (90) day suspension of service. This correspondence will detail the specific dates and times of the No-Shows/Late Cancellations or Receiver Not Present Violations as well as the proposed suspension dates. The proposed suspension dates will be no sooner than twenty (20) days after sending the written correspondence to provide time for an appeal by the passenger. This notification will warn the passenger that another month of excessive violations will result in another 90-day suspension of service.

## **11. APPEALS PROCESS FOR SANCTIONS**

### **11.1 Right to Appeal**

The passenger has the right to appeal a suspension of service or sanction. Passengers may bring an advocate or personal representative to the appeals hearing(s). Complimentary transportation will be provided both to and from appeals hearings.

### **11.2 No Action Before Resolution**

In no event will the sanction go forward until the final outcome of the appeals process is completed.

### **11.3 How to Start the Appeals Process**

**11.3.1. Step #1.** The passenger has fourteen (14) calendar days after the date of the suspension or sanction notification to appeal the suspension/sanction in writing. Review of the appeal will consist of an interview with the passenger.

**11.3.2. Step #2.** If the passenger disagrees with the decision made in Step #1, he/she may appeal that decision. To make an appeal, the passenger must send a written request to LAVTA. The passenger's written appeal must be received by LAVTA within fourteen (14) calendar days after the date of the written decision in Step #1.

**12. APPEALS PROCESS FOR REASONABLE MODIFICATION REQUEST DENIALS**

**12.1 Right to Appeal**

The passenger has a right to appeal a decision to deny a reasonable modification request. Passenger may start the appeal process by contacting LAVTA Customer Service phone line at 925-455-7500, or fill out the online Customer Service Form on LAVTA's website.

**12.2 No Further Action Before Resolution**

If LAVTA has denied a passenger's request for a reasonable modification, this decision will remain effective until the final outcome of the appeals process is completed.

**12.3 How to Start the Appeals Process**

**12.3.1. Receive Appeal from Customer (Clock Starts)**

**12.3.2. Notify the Director of Administrative Services, who will open investigation**

**12.3.2.1** Review all relevant documents, practices and procedures as well as discussions of the complaint with all affected parties to determine the nature of the problem.

**12.3.2.2** Begin investigation process within 10 business days.

**12.3.3. Additional Information Needed**

**12.3.3.1** If more information is needed to resolve the case, the Paratransit Planner will contact the complainant. The complainant must provide additional requested information within ten (10) business days of the date of the request.

**12.3.4. Closing the Case**

**12.3.4.1** If the investigator is not contacted by the complainant or does not receive the additional information within ten (10) business days of LAVTA's request, LAVTA can close the case administratively.

**12.3.4.2** A case also may be closed administratively if the complainant no longer wishes to pursue their case.

**12.3.5. LAVTA will issue a closure letter or a letter of finding (LOF).**

**12.3.5.1** A closure letter summarizes the complaint/appeal of a reasonable modification decision and states that the request was properly denied and that the appeal will be closed.

**12.3.5.2** A LOF summarizes the complaint/appeal of a reasonable modification decision and information obtained through the investigation, and whether action is taken.

**12.3.6. Notify LAVTA's Paratransit Planner for record keeping purposes**

**13. CUSTOMER COMPLAINTS AND COMMENTS**

To initiate LAVTA's customer complaint or comment process passengers should call the LAVTA Customer Service phone line at 925-455-7500, or fill out the online Customer Service Form on LAVTA's website.



# Application for ADA Paratransit Service

## IMPORTANT INFORMATION FOR APPLICANTS

**This packet includes information and forms you need to apply for WHEELS Dial-A-Ride paratransit eligibility. As part of the requirements of the Americans with Disabilities Act (ADA), paratransit service is provided by all public transportation systems. This special type of public transportation service is limited to persons who are unable to independently use regular public transit, some or all of the time, due to a disability or health related condition.**

In order to use ADA paratransit service, you must be certified as eligible. Eligibility is determined on a case-by-case basis. According to ADA regulations, eligibility is strictly limited to those who have specific limitations that prevent them from using accessible public transportation. All WHEELS fixed route buses have lifts or ramps for wheelchairs and for people who cannot climb stairs.

Your application may be approved for full eligibility (unconditional) or on a limited basis for some trips only (conditional eligibility). If you are found to be capable of using regular bus and rail transit for all trips, without the help of another person, you will not be eligible for paratransit.

**To apply for eligibility you must fully complete the attached application form.** We will review your ability to use accessible public transportation. After studying your application, we may need more information. We may need to:

- Contact you by phone
- Schedule a personal interview or a functional evaluation, or
- Consult with your doctor, health professional, or other specialist about your condition and abilities

<p><b>For:</b></p> <ul style="list-style-type: none"> <li>• <b><u>Braille,</u></b></li> <li>• <b><u>Large Print,</u></b></li> <li>• <b><u>Audio Tape,</u></b></li> <li>• <b><u>CD Text File</u></b></li> </ul> <p><b>Call 925-455-7555</b></p>	<p><u>Pleasanton residents older than 18 years old must sign up for Pleasanton Paratransit Service first as your primary service provider for trips within Pleasanton. Call 925-931 5376 for information.</u></p>
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**Mail/Return the completed application to:**

**WHEELS**

**1362 Rutan Court, Suite 100**

**Livermore, CA. 94551**

**Fax 925-443-1375**

**Email [ADAForm@lavta.org](mailto:ADAForm@lavta.org)**

The application must be properly and fully completed. As a part of the application process, Wheels requires an in-person interview. The in-person interview may include a functional test to determine your ability to take a public transit trip, such as being capable of walking to a bus stop, reading signs etc. Your application will be processed within 21 days after the complete application (including the doctor's verification on pages 11-13) has been received and the in-person interview conducted.

You will receive notice of your eligibility determination by mail. If you are certified as eligible, you will be eligible to travel throughout the nine-county Bay Area. If you do not agree with the eligibility determination, you have the right to appeal. Information on how to file an appeal will be included with your eligibility notice. If an eligibility determination takes longer than 21 days, you may be given eligibility that allows you to use the paratransit system until a final decision about your eligibility is made. This does not apply if, through inactions on your part, we are unable to complete the processing of your application.

## **INSTRUCTIONS FOR APPLICANTS**

1. Please **PRINT OR TYPE full responses to all of the questions** on the application form. Your detailed responses and explanations will help us make an appropriate determination. Be sure to **respond to ALL questions or your application will be considered incomplete**. Incomplete applications will be returned.
2. You are not required to attach additional pages or information. However, you may want to send other documents that you think will help us understand your limitations. **All information that you supply will be kept strictly confidential.**
3. **You must provide SIGNATURES in two places to complete the application:**
  - Certification for Personal Care Attendant ONLY if you answer "yes" or "sometimes" (Page 8)
  - Applicant Certification (Page 9)
4. In addition, if you need the assistance of a Personal Care Attendant, you must complete and return page 8.

For help with the application process or to check on the status of your application, call **925-455-7555**.

***Thank you***

**KEEP THIS PAGE FOR YOUR RECORDS**

# Please Print

## Personal/Contact Information

Name (first, middle, last):

\_\_\_\_\_

Home Address: \_\_\_\_\_ Apt. #: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Mailing Address (if different from home):

\_\_\_\_\_ Apt. #: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Pleasanton residents, are you already signed up with Pleasanton Paratransit Service?  Yes  No

Daytime Phone: (\_\_\_\_) \_\_\_\_\_ TDD/TTY: (\_\_\_\_) \_\_\_\_\_

Evening Phone: (\_\_\_\_) \_\_\_\_\_ Cell Phone: (\_\_\_\_) \_\_\_\_\_

Birth Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  Female  Male

Primary Language (please check):  English  Other (specify) \_\_\_\_\_

### In case of emergency, contact:

1. Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

Day Phone: (\_\_\_\_) \_\_\_\_\_ Eve. Phone: (\_\_\_\_) \_\_\_\_\_

2. Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

Day Phone: (\_\_\_\_) \_\_\_\_\_ Eve. Phone: (\_\_\_\_) \_\_\_\_\_

**Tell Us About Your Disability / Health Related Condition**

**Please answer the following questions in detail – your specific answers to all the questions will help us in determining your eligibility.**

1. Which **disability or health related conditions** **PREVENT** you from using regular public transit (i.e. BART, bus, streetcar) without the help of another person?

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2. Explain **HOW** your condition prevents you from using regular public transit without the help of another person.

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3. When did you first experience the conditions you described above?  
 0-1 year ago    1 – 5 years ago    More than 5 years ago

4. Do the conditions you described change from day to day in a way that affects your ability to use public transit?  
 Yes, good on some days, bad on others.                       No, doesn't change.  
 Don't know.

5. Are the conditions you described:  
 Permanent                       Temporary until \_\_\_\_\_  
 Don't Know

## Tell Us About Your Capabilities and Usual Activities

6. Do you use any of the following mobility aids or specialized equipment?  
(Check all that apply):

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> None                          | <input type="checkbox"/> Arm Crutches                                    | <input type="checkbox"/> Respirator            |
| <input type="checkbox"/> Cane                          | <input type="checkbox"/> Power Wheelchair                                | <input type="checkbox"/> Communication Devices |
| <input type="checkbox"/> White Cane for Blind          |  | <input type="checkbox"/> Service Animal        |
| <input type="checkbox"/> Walker (with or without seat) |  |  |
| <input type="checkbox"/> Power Scooter                 | <input type="checkbox"/> Crutches  | <input type="checkbox"/> Manual Wheelchair     |
| <input type="checkbox"/> Leg Braces                    | <input type="checkbox"/> Portable Oxygen Tank or E-tank (small or large) |  |
| <input type="checkbox"/> Large Wheelchair              | <input type="checkbox"/> Other Aid _____                                 |  |

The next question relates to the size & weight of your mobility device. **WHEELS Dial-A-Ride (paratransit) vehicles are designed to accommodate mobility devices up to 30" wide and 48" long when measured 2" from the floor and weigh less than 600 lbs when occupied (mobility device and rider combined). WHEELS Dial-A-Ride may not be able to carry oversized mobility aids. This is for your own safety. If you think your mobility device is larger or heavier, we recommend you come in for an evaluation to determine if you can be accommodated on our vehicles.**

7. Based on the above description, is your mobility device oversized?  
 Yes       No       I don't know – Please contact Wheels for an in-person assessment at 925-455-7555.

Does your mobility device weigh less than 600 pounds when occupied?  
 Yes       No       I don't know – Please contact Wheels for an in-person assessment at 925-455-7555.

If your mobility device's total weight exceeds 600 pounds while occupied, would you be able to board separately from your mobility device without assistance?

- Yes       No

8. Please check the box that best describes your current living situation:

- I live independently (without the assistance of another person)  
 24 hour care or Skilled Nursing Facility

- Assisted Living Facility
- I receive assistance from someone that comes to my home to help with daily living activities (In-Home Supportive Services)
- I live with family members who help me
- Community care home/transitional housing

9. How far can you walk or travel in your wheelchair or scooter without the help of another person?

- Less than ½ Block
- Up to 2 Blocks
- 3-6 Blocks
- 7 or more Blocks

10. To better provide assistance, how long would it take you to go from your building's front door to a curbside parked paratransit vehicle?

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11. Can you travel alone and be left alone on the paratransit vehicle?

- Yes
- No

12. Can you wait alone at your pickup or dropoff location?

- Yes
- No

13. Do you have a cell phone that you can contact Dial-A-Ride with while waiting?

- Yes
- No

14. Which of the following statements best describes you if you had to wait outside for a ride? *(Check only one response):*

- I could wait by myself for ten to fifteen minutes
  - I could wait by myself for ten to fifteen minutes only if I had a seat and shelter
  - I would need someone to wait with me because
- 

### Tell Us About Your Travel Needs

15. How do you currently travel to your frequent destinations?

*(Check all that apply):*

- Buses
  - Paratransit
  - Drive myself
  - BART
  - Taxi
  - Ferry
  - Streetcar
  - Someone drives me
  - Other \_\_\_\_\_
-

16. Would you be able to get to and from the public transit stop nearest your home?

- Yes       No       Sometimes       Don't know where it is

*If no or sometimes, explain why:*

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17. Would you be able to grasp handles or railings, coins or tickets while boarding or exiting a transit vehicle?

- Yes       No       Sometimes       Don't know, never tried it

*If no or sometimes, explain why:*

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18. Would you be able to maintain balance and tolerate movement of a public transit vehicle when seated?

- Yes       No       Sometimes       Don't know, never tried it

*If no or sometimes, explain why:*

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19. Would you be able to get on or off a public transit bus if it has a lift, a ramp, or a kneeler that lowers the front of the bus?

- Yes       No       Sometimes       Don't know, never tried it

*If no or sometimes, explain why:*

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20. Would you be able to sit in a vehicle for up to one hour? Trip lengths vary depending on origin/destination and number of pick-ups.

- Yes       No      For how long \_\_\_\_\_

21. Which of the following statements best describes you?

*(Check only one response):*

- I have never used regular public transit  
 I have used regular public transit but not since the





**Certification for Personal Care Attendant**

A personal care attendant is someone whose help you need for daily life activities (eating, dressing, personal hygiene, carrying packages, finding your way, etc.). An attendant does not always have to be the same person.

WHEELS Dial-A-Ride drivers are not personal care attendants, nor does WHEELS Dial-A-Ride provide attendants.

**Do you travel with a personal care attendant?**

- Yes       No       Sometimes

**If yes or sometimes, complete all of the information below and sign.** WHEELS Dial-A-Ride reserves the right to contact your health care professional to verify your need for an attendant.

**Please Print**

Applicant's Name \_\_\_\_\_

Explain how your attendant helps you \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Verification**

I certify that due to my disability or health related condition, I require the services of a personal care attendant to assist me and travel with me when I use paratransit services. **I understand that fraudulently claiming to travel with an attendant to avoid paying for a fare for a companion may result in suspension of service.**

Signature \_\_\_\_\_ Date \_\_\_\_\_

## Applicant Certification

I **certify** that the information in this application is **true** and **correct**. I understand that knowingly falsifying the information will result in denial of service. I understand all information will be kept confidential, and only the information required to provide the services I request will be disclosed to those who perform the services.

**I understand that it may be necessary to contact a professional familiar with my functional abilities to use public transit in order to assist in the determination of eligibility.**

**Sign here:**

Applicant's signature \_\_\_\_\_ Date \_\_\_\_\_

**Did someone help you in filling out this form?**     Yes                       No

May we contact this person for additional information?  Yes                       No

If yes, Name: \_\_\_\_\_ Phone: (\_\_\_\_) \_\_\_\_\_

Relationship: \_\_\_\_\_

Please Note: It is your responsibility to notify us if your disability improves enough to change your eligibility status. If your condition improves after you have been determined eligible or we discover you submitted false information, your eligibility could be suspended or you may be asked to re-apply.



**This concludes the applicant's portion of the form  
Pages 11 - 13 must be completed by a Licensed Medical or  
Mental Health Professional**

## Licensed Medical or Mental Health Professional Verification



**All regular fixed route Wheels buses are equipped with lifts or ramps for people who cannot climb stairs.** In accordance with the American's with Disabilities Act of 1990, paratransit service is available only for persons who, because of a disability, are **prevented** from using the regular accessible fixed route bus system. The individual could be prevented in either of the following ways: 1) is unable to independently get to and from a bus stop, on or off the bus, or successfully navigate to a destination or 2) is unable to understand how to complete a bus trip. Age or the inability to drive are not qualifying factors. This application is to verify that the applicant meets the eligibility requirements for paratransit service.

**This individual is applying for WHEELS Dial-A-Ride Paratransit Services.**

Applicant's Name: \_\_\_\_\_

Applicant's Date of Birth: \_\_\_\_\_

**You are a...(Please Check one)**

- Medical Doctor (MD or DO)       Optometrist       Psychologist (Ph.D)
- Physician Assistant               Chiropractor       Clinical Social Worker
- Nurse Practitioner                   Certified Orientation & Mobility Specialist
- Recreational, Physical, or Occupational Therapist
- MDS Nurse (Skilled Nursing Facility Only)

**Instructions:**

1. Please review the information contained on the application as provided by the Applicant or Applicant's representative.
2. For the benefit of the Applicant, answer the following questions as fully and accurately as possible. Please be specific when answering the questions. Incomplete answers will result in the application being returned to the applicant.
3. Please fax to Wheels at 925-443-1375 or return to the Applicant for their submittal.

All healthcare information will be kept confidential. Please call (925) 455-7555 if you have any questions. Thank you for your time and cooperation.

Wheels Dial-A-Ride Application-  
Medical Verification Section

1. Based on your knowledge of the Applicant's condition, is the information accurate?  
(Check one)

Yes                       No                       Somewhat

If you checked "no" or "somewhat", please explain:

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2. Please explain how the Applicant's disability prevents them from using the regular ADA accessible bus system. What specific conditions contribute to the Applicant's mobility and/or cognitive limitations? Please define the degree of impairment.  
(Reminder: Age and inability to drive are not qualifying factors)

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3. The disability that prevents the Applicant from accessing the regular bus system is:  
(Check one)

Permanent               Temporary - \_\_\_\_\_  
(Expected Date of Recovery)

4. If the Applicant does not use a mobility device, please skip to the next question.

The combined weight of the Applicant and mobility device is less than 600 lbs.

Yes                       No. If no, provide best estimate \_\_\_\_\_

5. Does the Applicant require a Personal Care Attendant (PCA) when traveling?

Note: A PCA is someone who is designated or employed by a person with a disability to assist that person in meeting his or her personal needs and/or to facilitate travel for a specific trip.

Yes                       No                       Sometimes

If sometimes, please explain:

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I HEREBY CERTIFY under penalty of perjury under the laws of the State of California that the information provided on the Professional Verification portion for this application is true and correct.

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Licensed Professional Signature	License number	Date
Printed Name: _____		
Organization: _____		
Address: _____		
City, State, Zip: _____		
Phone: _____		

Thank you for your assistance in completing this form.  
Wheels, in accordance with the American's with Disabilities Act of 1990, will use the information provided to determine the applicant's eligibility for Paratransit Services.

**To submit this application**

Via Mail or In person:  
Wheels  
1362 Rutan Court, Suite 100  
Livermore, CA 94551

Via Fax:  
925-443-1375