

STAFF REPORT

SUBJECT: Complaint about Regional Paratransit Service

FROM: Christy Wegener, Director of Planning and Operations

DATE: June 26, 2017

Action Requested

None – Information only

Background

On April 9th, staff received a complaint about transportation service between Livermore and Castro Valley, a service provided by the Regional Center of the East Bay (RCEB). At the request of Vice Chair Karla Brown, staff presented an information item about the complaint to the Projects and Services Committee at their May 22nd meeting. At that meeting, the Committee requested that staff follow-up on several items and bring an update back to the Committee.

Discussion

Attachment 1 includes the staff report that went to the Committee on May 22nd, detailing the complaint received about the quality of the Regional Center of the East Bay's (RBEB) transportation service to STRIDES in Castro Valley (CV). The complaints about the service include unreliable maintenance, unsafe vehicles, late arriving drivers, late drop offs, poor customer service, poor communication, lengthy travel times on the vehicle, overcrowded vehicles, and discourteous drivers. After additional research, staff has learned the following information about the RCEB – the Regional Center of the East Bay is a not-for-profit agency that has a contract with the State Department of Developmental Services. Per an excerpt taken from a 2006 Financial Audit: *"The Department of Developmental Services (DDS) is responsible, under the Lanterman Developmental Disabilities Services Act (Lanterman Act), for ensuring that persons with developmental disabilities (DD) receive the services and supports they need to lead more independent, productive, and normal lives. To ensure that these services and supports are available, DDS contracts with 21 private, nonprofit community agencies/corporations that provide fixed points of contact in the community for serving eligible individuals with DD and their families in California. These fixed points of contact are referred to as regional centers. The regional centers are responsible under State law to help ensure that such persons receive access to the programs and services that are best suited to them throughout their lifetime."*

The Regional Center of the East Bay contracts with private transportation companies to provide services to/from certain programs. Earlier in the year, the contract for service to STRIDES was

held by A-Paratransit. In spring 2017, the contract changed hands to De Soto Access, who currently provides the service. Complaints about De Soto Access include crowded vehicles, poor customer service, and on-time performance issues.

Staff has looked at the implications of opening up the paratransit service area to Castro Valley to allow for one-seat rides via LAVTA's Dial-A-Ride service. When preparing the May 22nd Projects and Services Committee Staff Report, LAVTA staff used the existing FY16 contractual cost per trip (~\$30) to estimate the cost of service for 10 passengers. After speaking with LAVTA's paratransit contractor MTM, the per trip rate to/from Castro Valley would need to be negotiated as it is outside of the service area used to prepare their rates for the Paratransit Contract. MTM staff anticipate the rate could be as high as \$80 per trip. Just for transportation to/from STRIDES, the revised cost estimate is at least \$380,000 per year. After speaking with East Bay Paratransit and BART Staff, who currently provide this service between CV and the Tri-Valley BART Stations, the number of new daily trips absorbed by LAVTA could be 60, resulting in an annual cost of over \$1,000,000.

Staff contacted the Alameda County Transportation Commission (ACTC) to inquire about potential funding opportunities. Per ACTC staff, the Regional Center would be eligible to apply for discretionary funds and the next opportunity would be in 2018.

Recommendation

None –Information Only

Attachment:

1. May 22, 2017 Projects and Services Committee Staff Report

LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY

STAFF REPORT

SUBJECT: Complaint about Regional Paratransit Service

FROM: Christy Wegener, Director of Planning and Operations

DATE: May 22, 2017

Action Requested

None – Information only

Background

At the April 24th Projects and Services Committee meeting, Vice Chair Karla Brown requested that staff bring back a report on a complaint received about paratransit service to a location in Castro Valley.

Discussion

On April 9th, LAVTA received a complaint (Attachment 1) from a Livermore resident about contracted transportation service to STRIDES in Castro Valley. The complaint was not about LAVTA-contracted service, but was a request to look at our paratransit service area in order to potentially expand to Castro Valley. The complaint was related to contracted service provided by the Regional Center of the East Bay.

As the public transportation provider, LAVTA is responsible for providing complementary paratransit service within $\frac{3}{4}$ mile of its fixed route network to persons who are ADA eligible. The LAVTA service area for paratransit is very generous and extends well beyond the fixed route network (Attachment 2). However, there are no fixed routes extending to the west of the City of Dublin.

As the Committee will recall, in mid-2015, staff presented a report highlighting the dramatic increase in paratransit trips experienced in FY2015. The staff report outlining the increase in trips is included as Attachment 3. The analysis done as a part of this staff report pointed to adult day programs as a major causal factor to the increase in LAVTA Dial-A-Ride Trips. Many of these day programs have transportation provided by (via contract) or subsidized by the Regional Center of the East Bay (RCEB).

From the Regional Center website: *Regional Centers are nonprofit private corporations that contract with the Department of Developmental Services to provide or coordinate services and supports for individuals with developmental disabilities. They have offices throughout*

California to provide a local resource to help find and access the many services available to individuals and their families.

Staff met with RCEB in March 2016 to discuss concerns about the dramatic increase in trips and to understand more about their services. During the meeting, LAVTA staff learned that the RCEB has funding sources that had not seen increases in years, but that they were expecting a funding increase in FY2017. LAVTA also learned that the RCEB funding follows the individual, and that individuals have a choice about what programs and services to use, based on their individual need. For example, a person may choose to attend a day program that promotes independence. This program may not come with contracted transportation services and RCEB will subsidize fares for public transit and/or Dial-A-Ride. In this instance, no additional funds for transportation are received by LAVTA from RCEB. Conversely, there are programs for higher-needs individuals where contracted transportation service is provided by the RCEB. Based on feedback from industry peers, the perception is that due to stagnant funding, the rates RCEB can pay for contracted transportation services have remained low and uncompetitive to high quality transportation firms.

Staff forwarded the complaint to several RCEB staff members immediately after it was received, but LAVTA staff has not yet received an official response. Very recently, LAVTA and MTM have seen another increase in paratransit trips to adult day programs within the Tri-Valley due to unreliable or non-existent transportation service. For example, the ARC Center relocated from a facility on Rutan Drive in Livermore to a new location on Sierra Court in Dublin in early 2017. After the move, consumers who used to utilize the RCEB transportation to the old facility began to call in requesting Wheels Dial-A-Ride transportation to the new location, as RCEB contracted service was no longer provided, or was unreliable. This came at a great surprise to LAVTA. RCEB staff have been invited to attend the May 22nd Projects and Services Committee meeting.

Extending the LAVTA paratransit service area to cover the STRIDES Day Program in Castro Valley could come at a significant cost (at least 10 people per day taking a round trip, 5 days/week) of about \$12,000 per month or \$144,000 per year at the current contracted rate of ~\$30 per trip (net of the \$3.50 passenger fare). Additionally, opening up the service area to Castro Valley could induce more ridership and require more vehicles be added to the service so that there are no trip denials. Without any other changes to the paratransit service, it would most likely mean increased subsidy from the fixed route system to cover increased paratransit costs.

LAVTA paratransit trips are still very high and staff has been actively engaged in a series of demand management activities for over a year (Attachment 4). Most importantly, LAVTA has recently launched the comprehensive paratransit study in partnership with the City of Pleasanton. The study will include rider and stakeholder feedback, an analysis of existing conditions, modeling of potential future ridership, identification of gaps/areas for improvement, and the development alternative strategies to manage current and future demand. While the study does not specifically have a regional scope, it is a necessary first step to identifying a solution and making other regional partners aware of the issues. Staff intends to contact RCEB to participate in the study as a stakeholder.

Next Steps

LAVTA will engage with Regional Center staff as a part of the Tri-Valley Comprehensive Paratransit Assessment.

Recommendation

None –Information Only

Attachment:

1. Email Complaint from 4/9/17
2. LAVTA Paratransit Service Area Map
3. Staff Report June 2015
4. Staff Report January 2016

Christy Wegener

From: Christy Wegener
Sent: Monday, April 10, 2017 8:08 AM
To: [REDACTED]
Cc: [REDACTED]; 'Priscilla Gomez'; 'Herb Hastings'; Juana Lopez; Kadri Kulm
Subject: FW: Question for you
Attachments: Wheels Dial A Ride Service Map.pdf

Hello:

Juana Lopez forwarded me your email. I oversee the paratransit/Dial-A-Ride service at Wheels. I have forwarded your complaint to my contacts at the Regional Center, and have CC'd them on this email.

Regarding expanding our Dial-A-Ride service to Castro Valley: Unfortunately, our ADA paratransit service is limited to areas that our fixed-route bus service operates. In lieu of the Regional Center service, your child could take Wheels Dial-A-Ride to the Dublin/Pleasanton BART Station and transfer to East Bay Paratransit - but the transfer and combined time on two vehicles may not be appealing.

We understand the transportation needs of Tri-Valley families extends well beyond our service area boundaries. We recently launched a Tri-Valley paratransit assessment study with the goal of identifying gaps in services and areas to focus resources: this is, undoubtedly, an area that needs attention. I can reach out to you when the public outreach begins for the study - just let me know.

Sincerely,
Christy

Christy Wegener
 Director of Planning and Operations
 Livermore Amador Valley Transit Authority cwegener@lavta.org
 Office: 925-455-7560
 Fax: 925-443-1375

-----Original Message-----

From: Juana Lopez [<mailto:jalopez@mtm-inc.net>]
Sent: Sunday, April 09, 2017 9:18 PM
To: Christy Wegener <cwegener@lavta.org>; Kadri Kulm <kkulm@lavta.org>
Subject: Fwd: Question for you

Sent from Boxer | <http://getboxer.com><<http://bxr.io/PBI3C>>

----- Forwarded message -----

From: [REDACTED]
Date: April 9, 2017 at 6:46:35 PM PDT
Subject: Question for you
To: jalopez@mtm-inc.net

Hi Juana - I hope you are well. Thanks again for your dedicated customer service and sincere interest in providing a wonderful transportation for Robby. His new program, Strides in Castro Valley, is wonderful. He loves it and we're grateful that he was able to get in after three years on the waiting list.

What's not working, however, is transportation. A Para Transit appears to have both stability and service issues. They have been late (more than one hour) on numerous occasions. Last Tuesday, he arrived at school at 10 a.m. He is supposed to be there before 8:30 a.m.

In addition to constantly being late, they have substantial equipment issues (last week their bus broke down on Interstate 580). There is significant employee turnover and terrible customer service. And finally, as icing on the case, the owner was just convicted of tax fraud. See article below...

<http://www.eastbaytimes.com/2017/03/24/feds-say-dublin-man-east-bay-paratransit-company-owner-hid-millions-from-irs/>

And apparently these issues are not all that unique. See below...

<http://www.eastbaytimes.com/2016/02/10/disabled-adults-bus-service-off-to-a-rough-start-in-alameda-county/>

I am one of many parents in Livermore very concerned about this. We all have our children attending Strides -- yet the only alternative for busing (according to Regional Center) seems to be to use county transportation and "transfer" again at BART.

This is why I am writing you.

The attached service map for LAVTA/Wheels Dial A Ride seems to suggest that there are 'exceptions' made to the service center to take individuals to the San Ramon Medical Center (and crossing into Contra Costa County). While I can't tell the exact location of where the service area ends on 580, it appears to be somewhat close to Rowell Ranch and the end of the Dublin City limits. As you can see by the map attached, there is just a slight differential in miles (7 miles from Rowell Ranch to Strides at the Castro Valley Adult School) and 4.4 miles from Alcosta Blvd to the San Ramon Medical Center. I am wondering if there are other exceptions I am unaware of?

I am planning to approach the board of directors of LAVTA to see if an exception can be made for our kids. If Wheels is able to go to San Ramon Medical Center, can a single bus pick up approximately 3-4 individuals in Livermore and take them all the way to Strides? Regional Center of the East Bay would be able to pay for assistance to do this - and in addition, I believe ALL parents would be very willing to provide financial assistance to assure peace of mind.

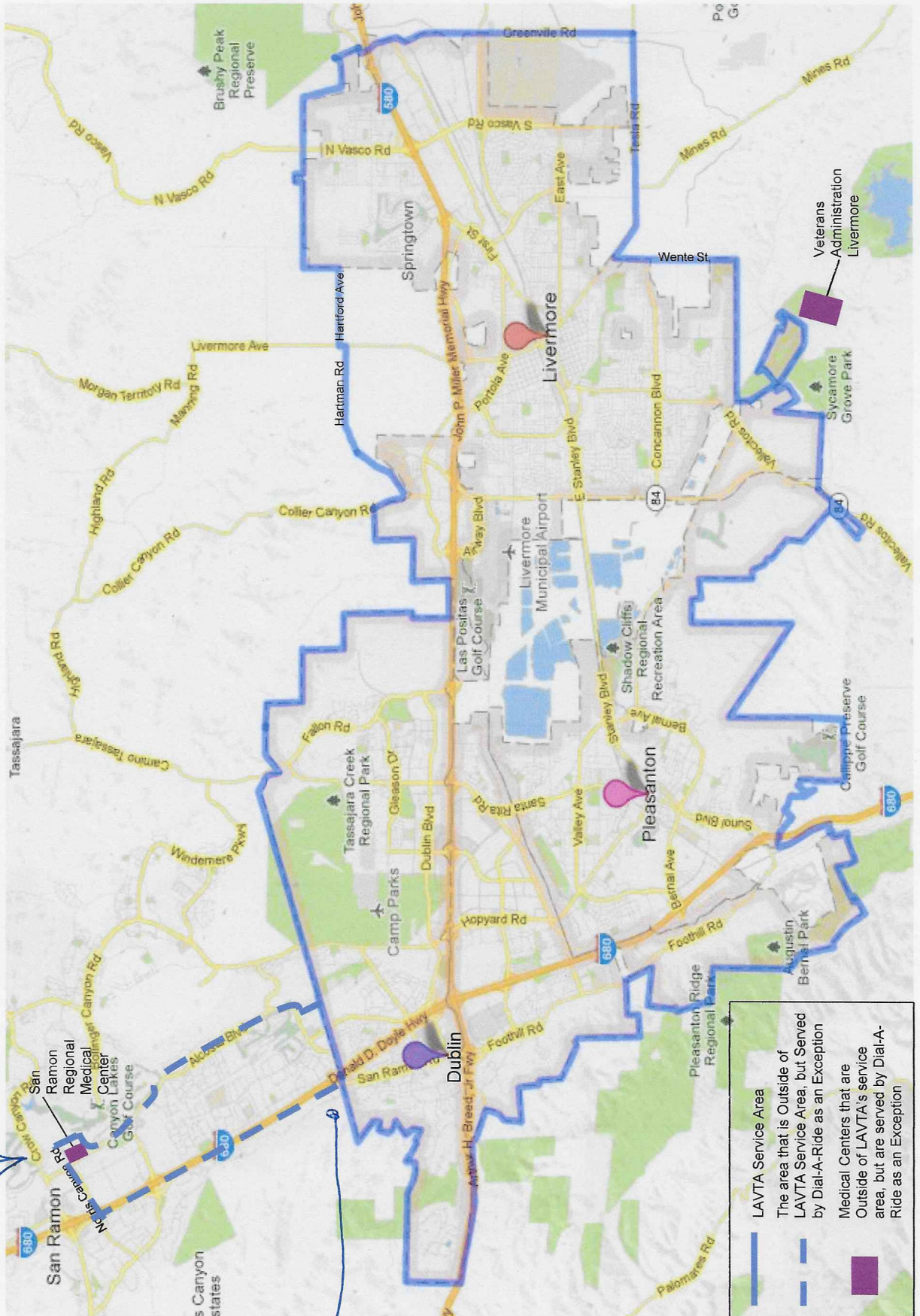
As you know, our kids are not always able to tell us what happens. But there is no justification for them to be subject to these ongoing issues on a daily basis. They are simply trying to go to school and thrive. Spending 2-4 hours a day on the bus doesn't provide the quality of life they deserve.

Thanks for any info you can provide.

~~_____~~

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Attachment A: LAVTA Service Area



Hillside

7 miles to studies from Rowell Ranch

LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY

STAFF REPORT

SUBJECT: ADA Paratransit Ridership Increase Analysis

FROM: Kadri Klm, Paratransit Planner

DATE: June 22, 2015

Action Requested

Information only.

Background

Over the last few months there has been a noticeable increase in LAVTA's ADA paratransit (Dial-A-Ride) ridership when comparing it to the same months the year prior. Staff has been evaluating this phenomenon in more detail.

Discussion

Staff compared the 11-month period of July 1, 2014 to May 31, 2015, to the same months the fiscal year prior for the number of total one way trips provided as well as the number of total passengers served (see attached chart). Of particular note is the increase in number of passengers between January and May of 2015, which averages more than a 17% increase each month as compared to the same months in the previous year.

Looking further into the ridership increases during these five months, a staff analysis revealed that the destination with the most significant ridership increase was from the "Go Group Program" of Futures Explored, Inc. in Livermore, which is a day program for the developmentally disabled. The total number of rides to this program from January to May 2015 was 1,232 compared to the 514 trips that were provided from January to May, 2014, which represents a 140% increase in rides.

Staff learned through a site visit that program administrators of the Go Group Program were previously providing rides to clients. However, due to a reduction in funding, where now encouraging clients to ride the Wheels ADA paratransit system. Staff will continue meeting with Futures Explored, Inc. to find the most efficient way to transport its clients.

Additionally, staff noted that a significant ridership increase (24.6%) was from Livermore's DaVita dialysis center. Staff is currently reaching out to DaVita to better understand the increases, but notes that other ADA paratransit providers in the region are experiencing similar increases from this company.

Recommendation

Information only.

Attachments

1. Chart comparing Trips and Ridership

Attachment #1

Comparison of Trips and Ridership on Wheels Paratransit Service
July 2014 through May 2015

| | # of Trips FY 2015 | # of Trips FY 2014 | % Change from Last Year | # of Total PAX in FY2015 | # of Total PAX in FY2014 | % Change from Last Year |
|------------------|---------------------------------------|---------------------------------------|--|---|---|--|
| July | 3,759 | 3,599 | 4.45% | 4,767 | 3,893 | 22.45% |
| August | 3,472 | 3,740 | -7.17% | 4,284 | 4,047 | 5.86% |
| September | 3,532 | 3,539 | -0.20% | 4,207 | 3,851 | 9.24% |
| October | 4,064 | 3,966 | 2.47% | 4,744 | 4,284 | 10.74% |
| November | 3,175 | 3,411 | -6.92% | 3,670 | 3,707 | -1.00% |
| December | 3,436 | 3,473 | -1.07% | 4,041 | 3,762 | 7.42% |
| January | 3,838 | 3,503 | 9.56% | 4,517 | 3,789 | 19.21% |
| February | 3,890 | 3,569 | 8.99% | 4,674 | 3,885 | 20.31% |
| March | 4,279 | 3,874 | 10.45% | 5,179 | 4,178 | 23.96% |
| April | 4,401 | 4,063 | 8.32% | 5,179 | 4,401 | 17.68% |
| May | 4,259 | 3,525 | 20.82% | 4,978 | 4,193 | 18.72% |
| TOTAL: | 42,105 | 40,262 | 4.58% | 50,240 | 43,990 | 14.21% |

LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY

STAFF REPORT

SUBJECT: Paratransit Discussion

FROM: Michael Tree, Executive Director
Christy Wegener, Director of Planning & Communications

DATE: January 25, 2016

Action

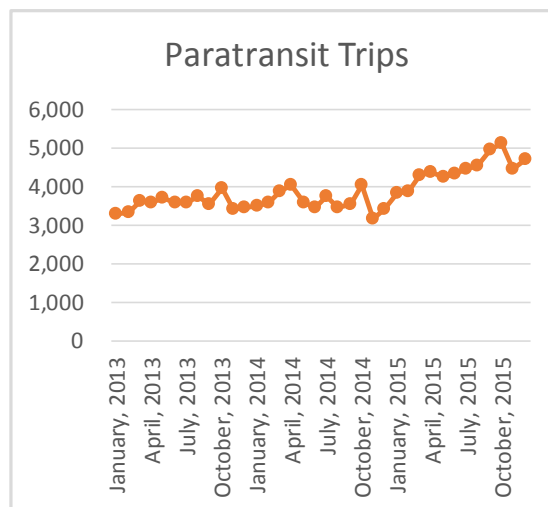
None-Informational Only

Background

As the Committee is aware, paratransit trips (door-to-door service for those who can't access the fixed route system) have been increasing at an alarming rate over the past 12 months, with ridership increasing 30% in 2015. With our paratransit contractor being paid on a per trip basis the current rate of growth is not sustainable.

Discussion

For several years prior to 2015 the number of paratransit trips was for the most part stable. However, over the past year there have been several notable trends driving up ridership:



The first trend is with social service agencies that work with the developmentally disabled. Within these programs has been an emphasis to improve the integration of clients into the mainstream of the community. One of the ways they have accomplished this has been to reduce their specialized transportation program in favor of pushing clients to LAVTA for their transportation needs. The Go Group (Futures Explored), for example, increased the number of LAVTA paratransit rides to and from their location by 157% from fourth quarter 2014 to 2015; Keystone Learning Center increased their trips by 206% between the same two quarters. Annualized, the total cost of trips provided to and from these two locations is over \$200,000. The Go Group and other social service agencies thus far have not been willing to compensate the transit agency more than the regular fare charged to clients.

The second trend is with dialysis treatment centers. With dialysis treatment on the rise the number of paratransit trips is also increasing. Comparing the fourth quarters of 2014 and 2015, Pleasanton Dialysis increased their trips by 108%, and Livermore Dialysis by 88%.

How to Stabilize Paratransit Trips and Budget

LAVTA's policies regarding paratransit services are solid and closely follow the ADA requirements. The Board-approved policy is included as Attachment 1. Working within the paratransit policy framework set up by the Board the following are areas where staff has been focusing on improvement:

Subscription Rides: Although not required by the FTA, the Board has authorized staff to set up subscription rides, or standing orders, for riders with repeat trips that have the same starting and ending location and the same pick-up day and time. However, the Board has limited the number of subscription trips to 50% of system capacity.

While the subscription rides are a convenience for the rider and have some positive effects on the transit agency (reduced number of phone calls), they can be a detriment to the transit agency in negotiating trip times with riders to optimize the efficiency of the vehicles. Additionally, the need to call more often to schedule trips can often be a natural incentive for riders to combine daily activities to minimize the number of rides requested. Currently, our contractor has allowed up to 60% of the system capacity to be allocated to subscription trips. Staff has asked the contractor to reduce subscription trips to a range of between 40% and 50%.

Negotiate Trip Times: Because paratransit service is a shared ride system, the FTA encourages transit agencies to negotiate trip times to improve the efficiency and optimization of the system. Negotiating trip times entails recognition that the desired pick-up time cannot always be accommodated when optimizing trips in a vehicle, and that the reservationist may offer alternative pick-up times ranging from one (1) hour before to one (1) hour after the requested time.

Staff is working with the contractor to increase our capacity to negotiate trip times with customers so that the vehicles are better utilized (currently we pick up less than 2 riders per vehicle in an hour). Doing so, as with subscription rides, will create a natural incentive for riders to combine activities where possible.

Interview and Functional Evaluation in Certification/Recertification Process: The Board approved application for paratransit services includes the ability for staff to schedule a personal interview and functional evaluation to assure the agency that those using the paratransit service are persons who are unable to independently use regular public transit, some or all of the time, due to a disability or health related condition.

Of the six (6) transit agencies recently contacted by staff, five (5) included a personal interview and/or functional evaluation in their approval process. From discussions with these transit operators, staff anticipates that approximately 20% of those invited to interview for eligibility will either be found ineligible or will self-eliminate from the application process.

Staff currently evaluates between 75 and 100 applications a month (new and renewal applicants). Although not all paratransit applicants will need an interview or assessment, staff is now asking for an interview and functional evaluation when there is a question as to eligibility. Estimates are that for every 1 dollar spent in the interview and functional evaluation process the agency will save 3 dollars by not providing service to those not eligible or who have self-eliminated from the application process.

Fares: Generally speaking, a transit agency may not charge more than twice the fare for paratransit services that would be charged to an individual paying full fare on the entity's fixed route system. However, federal law provides that the transit agency may charge a fare higher than otherwise permitted to a social service agency or other organization for agency trips (*i.e.* trips guaranteed to the organization).

Staff is currently working with the LAVTA's legal department to confirm that the transit agency can negotiate with other social service agencies the fare for paratransit services provided to clients. If given the authorization, staff will begin negotiations with other agencies, such as the Go Group, and will bring to the Board updates and outcomes of negotiation for consideration.

Additionally, staff is working on the final draft of the fare study with the COA planning team. The recommendations for fare changes will be presented to the Board in April or May 2016, which may include a recommendation to increase the regular paratransit fare to the full amount allowed by ADA.

Late Cancellations/No-Shows: Working with LAVTA's paratransit contractor, staff has started to compile a list of clients who have excessive late cancellations or no-shows and are beginning to enforce sanctions. Current policy states that passengers are subject to sanctions if they have 20% or more no-shows and/or late cancellations within any given month, and at least three no-shows and late cancellations during that month. Staff has identified 24 clients who had excessive late cancellations or no-shows in the month of December 2015 and will be following up with those passengers in January. As a reminder, the first sanction is a call from LAVTA; the second, a letter from LAVTA; additional occurrences in a 24-month period result in a progressive suspension of service.

Pleasanton Paratransit: Staff is working to develop a list of LAVTA paratransit clients who should be utilizing Pleasanton Paratransit (PPS) for their Dial-A-Ride trips. During the month of December, approximately 800 trips (17%) were eligible for PPS service. Staff will be meeting with PPS staff in January and providing a list of clients who should be registered with PPS for future trips.

Conclusion

Staff has initiated the abovementioned steps to better manage the paratransit ridership within the policy of the Board and the Federal Transit Administration, and estimates that the agency may save as much as \$900,000 over the next three years through these efforts. However, the Board should be aware that many of these steps involve give and take by our potential and

current customers so that capacity is maintained and the system operates more efficiently, which will inevitably generate more complaints by riders who may be unaccustomed to negotiating trip times, sharing rides with others, being interviewed about eligibility, etc.

Attachments:

1. Current LAVTA Paratransit Policy

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 the applicant’s Medical Care Professional’s verification.
- 3.2.2.** LAVTA will process ADA Paratransit applications for the residents of Livermore, Dublin, Pleasanton, and Sunol.
- 3.2.3.** LAVTA will process all applications within twenty-one (21) days of receipt.

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, 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 1st 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 1st to the last day) or four (4) or more times within a six (6) month period.

10.3 Progressive Sanction Penalties

- 10.3.1. 1st 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. 2nd 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. 3rd 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. 4th 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. 5th 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. 6th 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.