

**BASIN TRANSIT ASSOCIATION  
ADA POLICY AND COMPLEMENTARY  
PARATRANSIT PLAN**

Adopted 01/27/2011

Uintah Basin Association of Governments  
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***Basin Transit Association***  
**ADA Policy and Complementary Paratransit Plan**

Table of Contents

<u>No.</u>	<u>Policy</u>	<u>Effective</u> <u>Date</u>	<u>Revision</u> <u>Date</u>	<u>Page</u>
	<b>Description</b>			3
	<b>Purpose</b>			3
 GENERAL INFORMATION				
101	Transportation Facility and Vehicle Accessibility	1/27/2011		4
102	Paratransit as a Complement to a Fixed-Route Service	1/27/2011		5
103	Type of ADA Paratransit Service	1/27/2011	4/24/2020	6
 ELIGIBILITY				
201	Eligibility Standards	1/27/2011		7
202	Eligibility Determination Process	1/27/2011	11/17/2018	8
 RIDERSHIP				
301	Suspension of Service/ No-Show Policy	1/27/2011		11
302	Visitors	1/27/2011		12
303	Service Area	1/27/2011		13
304	Response Time	1/27/2011		14
305	Additional Services	1/27/2011		15
	 <b>Contact Information</b>			 16

***Basin Transit Association***  
**ADA Policy and Complementary Paratransit Plan**

**DESCRIPTION**

The Basin Transit Association operates Mondays through Fridays between Duchesne City, Roosevelt, and Vernal with special loop routes in the Vernal area. The service contains three routes. The first runs from Roosevelt to Duchesne along Highway 40 six times daily, a 60 mile round trip. The second bus runs from Vernal to Roosevelt along Highway 40 six times per day, a 60 mile round trip. The third route, the Vernal Loop, makes 13 trips per day in downtown Vernal.

Our Para-transit program serves all eligible disabled individuals who apply within three quarters of a mile from the established fixed route system.

**PURPOSE**

Federal Transit Administration (FTA) grantees are required to comply with Title I and Title II of the Americans with Disabilities Act (ADA) of 1990, which states that no entity will discriminate against an individual with a disability in connection with the provision of transportation service. The law sets forth specific requirements for vehicle and facility accessibility and the provision of complementary Paratransit service. The Basin Transit Association (BTA) Department herein establishes its Policy to comply with the requirements of the ADA and its implementing regulations at 49 CFR Parts 27, 37 and 38.

***Basin Transit Association***  
**ADA Policy and Complementary Paratransit Plan**

**101 TRANSPORTATION FACILITY AND VEHICLE ACCESSIBILITY**

Effective Date: 1/27/2011

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BTA will construct any new facility to be used in providing designated public transportation services so that the facility is readily accessible to and usable by individuals with disabilities. BTA will also ensure that vehicles procured or leased will be readily accessible to and usable by individuals with disabilities.

***Basin Transit Association***  
**ADA Policy and Complementary Paratransit Plan**

**102 PARATRANSIT AS A COMPLIMENT TO FIXED-ROUTE SERVICE**

Effective Date: 1/27/2011

Revision Date:

BTA shall provide paratransit service to individuals with disabilities that are comparable to the level of service provided to individuals without disabilities who use the fixed-route service.

***Basin Transit Association***  
**ADA Policy and Complementary Paratransit Plan**

**103 TYPE OF ADA PARATRANSIT SERVICE**

Effective Date: 1/27/2011

Revision Date: 4/24/2020

BTA Paratransit service is an origin to destination complimentary service. No BTA vehicle operator will enter a private residence or a public facility in order to provide this service. BTA vehicle operators will assist ADA Paratransit eligible individuals in boarding and disembarking BTA vehicles, and will assist with that cargo (e.g. baggage, bags of groceries, etc.) that may be reasonably carried aboard by one person.

Basin Transit Association will make reasonable modifications to its policies, practices and procedures to avoid discrimination and ensure that its service is accessible to individuals with disabilities. Reasonable modification does not include a fundamental alteration of service, a request that may result in a direct threat to the health or safety of others, is not needed or causes an undue financial or administrative burden to the agency. However, Basin Transit Association will modify its general service practices, if reasonable, to ensure the accessibility and safety of its clients.

***Basin Transit Association***  
**ADA Policy and Complementary Paratransit Plan**

**201 ELIGIBILITY STANDARDS**

Effective Date: 1/27/2011

Revision Date:

The following individuals will be considered ADA Paratransit eligible:

- An individual with a disability who is unable to board, ride, or disembark from any vehicle on the fixed-route system, which is readily available and usable, as a result of a physical or mental impairment (including vision), and without the assistance of another individual (i.e., except the operator of a wheelchair lift or other boarding assistance device).
- An individual with a disability who needs the assistance of a wheelchair lift service or other boarding assistance device and is able, with such assistance, to board, ride and disembark from any vehicle which is readily accessible to and usable by individuals with disabilities.
- If the individual wants to travel on a route in the system during the hours of operation, or within a reasonable period of such time, when such a vehicle is not being used to provide designated public transportation on the route (e.g. when a lift is inoperable on the fixed-route system).
- An individual with a disability who has a specific impairment related condition that prevents the individual from traveling to a boarding location or from a disembarking location of the fixed-route service.

Two other individuals accompanying an ADA Paratransit eligible individual will be provided service if one accompanying individual is acting as a personal assistant.

In order to be considered as “accompanying” the eligible individual for purposes of this Policy, the other individuals will have the same origin and destination as the eligible individual.

The BTA understands that due to some extenuating circumstances that individuals do live outside of traditional guidelines set forth in the ADA policy to which it adheres. In the cases deemed appropriate by the BTA some individuals may receive service by receiving aid provided by NON FEDERAL funds. Examples may include needing transportation to life saving treatment while living outside of the standard  $\frac{3}{4}$  of a mile radius.

Such Cases will be determined by severity of case.

- A.) Medical necessity for life saving care.
- B.) Disability requiring transportation to receive life improving medication and or life improving care.
- C.) Below poverty level family with children in need to reach medical needs.
- D.) Senior citizen requiring need to reach medical assistance.

***Basin Transit Association***  
**ADA Policy and Complementary Paratransit Plan**

**202 ELIGIBILITY DETERMINATION PROCESS**

Effective Date: 1/27/2011

Revision Date: 1/17/2018

All information about the eligibility process, materials necessary to apply for eligibility, and notices and determinations concerning eligibility will be made available in accessible formats. If a request for a format not currently offered by the BTA is made, BTA staff will work with local accessibility groups to produce the requested media.

UBAOG staff will review completed applications and determine eligibility. If, by a date twenty-one (21) calendar days following submission of a completed application, UBAOG staff has not made a determination of eligibility, the applicant will be treated as eligible and provide service until and unless BTA denies the application.

To help ensure proper documentation, within all applications, a form that the client's physician must sign and date has been added to the application. The physician or doctor must provide supporting documents which state the disability of the potential client to help ensure authenticity of disability.

BTA determination concerning eligibility will be in writing. If the determination is that the individual is ineligible, the determination will state the reason(s) for the finding.

BTA may require re-certification of the eligibility of ADA Paratransit eligible individuals at reasonable intervals, or as needed.

**Denial of Paratransit Service:**

There are certain circumstances under which an individual, otherwise eligible for ADA Paratransit services, may be denied those services, these circumstances are:

- A person whose behavior threatens or has threatened the safety of Paratransit personnel or other customers.
- Persons who demonstrate a consistent pattern of missing scheduled Paratransit trips, "no-shows", may lose their eligibility.

Such temporary suspensions of eligibility, as well as permanent loss of eligibility because of violent or threatening behavior, may be appealed through the appeals process. In the case of temporary suspension due to "no-shows", suspension of service will not begin until the appeals process is complete.

**Administrative Appeal Process**

BTA will require that an applicant file a written appeal within 60 calendar days of receipt of denial. Denials will be devised in writing by the Transit Director, and will be sent within 30 days of determination by Certified Mail via the U.S. Postal Service.



***Basin Transit Association***  
**ADA Policy and Complementary Paratransit Plan**

BTA will provide an opportunity to be heard and to present information and arguments to UBOAG's Economic Development Board within 30 days of receipt of the appeal.

Written notification of the decision and reasons for the decision will be forwarded to the applicant by Registered Mail.

BTA will not provide paratransit service to the individual pending the determination on appeal. However, if BTA has not made a decision within 30 days of the completion of the appeal process, BTA will provide paratransit service from that time until and unless a decision to deny the appeal is issued.

**State and Federal Appeals Process:**

If the complainant is unsatisfied with the Appeal Board's decision the complainant may file the complaint with the Utah Department of Transportation, the Federal Department of Transportation, or the Federal Transportation Administration Offices.

***Basin Transit Association***  
**ADA Policy and Complementary Paratransit Plan**

**301 SUSPENSION OF SERVICE/NO-SHOW POLICY**

Effective Date: 1/27/2011

Revision Date:

BTA will suspend the provision of service to ADA Paratransit eligible individuals who establish a pattern or practice of missing scheduled trips. A “no-show” will be added to your record when the following situations occur:

- Not being at the scheduled pick-up point within 5 minutes after scheduled time.
- Canceling a ride less than 90 minutes before the scheduled pick-up time.
- Not canceling a scheduled pick-up time.
- Choosing not to ride after the vehicle arrives for the pickup.

When a no-show occurs, the BTA vehicle operator will notify the BTA dispatcher. A notation will be made on the individual’s database record. If a second no-show occurs within a 30-day period, BTA will make a reasonable attempt to contact the individual, explain the no-show policy and attempt to identify ways for the individual to comply with the policy. A third no-show within a 30-day period will result in a three-month probation. BTA staff will mail a letter to the individual explaining that the individual’s ADA Paratransit eligibility has been placed on probation, and will attempt to identify ways to avoid further sanctions.

If, during the probation period, the person has 3 more no-shows, the individual will be notified by Registered Mail that their ADA Paratransit eligibility has been suspended. Eligibility will be suspended for one week for the first violation. If second and subsequent violations occur during this probationary period the individual will be suspended for two months. If more than one year elapses between any two stages of violation, the progression of suspensions would start from the first step.

The suspension of service will become effective 7 days from the date of the registered letter of notification is mailed in order to allow the individual to appeal the suspension.

The notification of suspension will include the specific reasons for the suspension. The rider will have fifteen days from the receipt of the letter to appeal the suspension decision by following the appeal process described in the letter. If an appeal is requested, it will be scheduled for ADA Appeals Committee review within 30 days of the request, and the suspension of service will be delayed until the appeal is heard. If the no-shows are determined not to be the fault of the individual, service eligibility will be restored. Individuals will be notified by certified letter of the decision regarding the appeal within seven days of the ADA Appeals Committee meeting and this notification will state the new date on which the suspension, if upheld, will begin.

The individual requesting the appeal may bring other persons to represent him/her including a lawyer, independent living or rehabilitation counselor or other professional to testify on his/her behalf. A sign interpreter will be provided if requested, and an attempt will be made to provide language interpreters.

***Basin Transit Association***  
**ADA Policy and Complementary Paratransit Plan**

**302 VISITORS**

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Visitors to our service area may be asked for certification of eligibility from their resident service district. If an individual does not have certification from their resident service district but makes a claim of eligibility, the claim will be honored on a presumption of eligibility. If the visitor has no certification of eligibility and their length of stay exceeds 21 days, we may require the individual to obtain local certification.

***Basin Transit Association***  
**ADA Policy and Complementary Paratransit Plan**

**303 SERVICE AREA**

Effective Date: 1/27/2011

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BTA Paratransit service area shall include areas within  $\frac{3}{4}$  mile of any non commuter fixed bus route that is operated by BTA. If an area is surrounded by these  $\frac{3}{4}$  mile corridors paratransit services will be extended into these areas. BTA vehicles are not allowed to leave maintained public roads to pick or drop off a passenger.

***Basin Transit Association***  
**ADA Policy and Complementary Paratransit Plan**

**304 RESPONSE TIME**

Effective Date: 1/27/2011

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Monday through Friday BTA will attempt to schedule and provide Paratransit service to any eligible person at any requested time BTA fixed-route buses are in operation on a particular day in response to a request for service made the previous service day and up to 7 days in advance. Dispatchers will take reservations from 8:00 a.m. to 5:00 p.m. on Monday through Friday.

In the instance in which a dispatcher is unavailable to take a reservation, individuals may leave a voice mail at 435-722-5221 or reservation via email at [ridebta@ubaog.org](mailto:ridebta@ubaog.org) . These reservations may be made during weekends to ensure service at beginning of the work week.

BTA will make an effort to schedule rides for ADA Paratransit eligible persons at the requested time however, rides may be scheduled within one hour before or after the requested time. BTA is considered on time if the vehicle arrives at the scheduled pick-up point between 15 minutes before or 15 minutes after the scheduled time. BTA will wait up to 5 minutes for the scheduled rider to board.

***Basin Transit Association***  
**ADA Policy and Complementary Paratransit Plan**

**305 ADDITIONAL SERVICES**

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Subscription Service –

Subscription service is the provision of repetitive trips over an extended period of time. BTA will allow ADA eligible riders to schedule rides for up to a 6-month period. However, BTA will not schedule in a subscription context more than fifty percent of the possible/potential trips during any two-hour window.

***Basin Transit Association***  
**ADA Policy and Complementary Paratransit Plan**

**CONTACT INFORMATION**

Individuals seeking guidance in the paratransit eligibility process and questions concerning the program may contact BTA at 435-722-4518 or email at [ridebta@ubaog.org](mailto:ridebta@ubaog.org) .

**For those who are speech or hearing impaired please call 711 relay Utah for assistance.**

Further, if issues arise in the service provided, individuals may file complaints and or concerns to the Basin Transit Director at 435-722-5203 or email at [carlc@ubaog.org](mailto:carlc@ubaog.org)