

## **Makah Public Transit ADA Policy**

### **ADA Policy**

The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990. The ADA is civil rights legislation which requires that persons with disabilities receive transportation services equal to those available on the fixed route service.

It is the policy of Makah Public Transit (MPT) that, when viewed in their entirety, services, programs, facilities, and communications provided by Makah Public Transit, directly or by a contracted service provider, are readily accessible and usable to individuals with disabilities to the maximum extent possible. 49 CFR 37.105

#### **1. Fare**

Fare for Makah Public Transit is as follows:

- Senior 62 and older/Disabled/Youth 6 and under- Free
- Youth 7 and over to Adult \$.25

#### **2. Holiday Closures**

Makah Public Transit will not run on the following nationally or tribal recognized holidays: New Year's Day, Treaty Rights Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Makah Day Monday, Labor Day, Wednesday before Thanksgiving, Thanksgiving Day, Friday following Thanksgiving and Christmas Day through New Year's Day.

#### **3. Paratransit Service**

MPT provides wheelchair accessible, origin-to-destination paratransit service Monday through Friday, with assistance for elderly and disabled persons who cannot use the fixed-route service. Those who are eligible are age 62 and older, or handicapped. A specific time slot of 10:00 a.m. to 11:30 a.m. is allotted to those elderly and disabled who are in need of paratransit service. Those wishing to access this service may contact the Transit Driver at 360-640-0443 preferably 24 hours prior to service or to cancel a scheduled time. There is no fare for this specific service.

#### **4. Approved Equipment**

Passengers will be transported provided the lift and vehicle can physically accommodate them, unless doing so is inconsistent with legitimate safety requirements (e.g. the combined weight of the wheelchair/occupant exceeds that of the lift specifications. Additionally, Makah Public Transit can accommodate mobility devices that meet following minimum standards:

- The mobility device must be in good working order; with batteries charged, tires inflated, and parts secured.
- *Wheelchair* means a mobility aid belonging to any class of three or more wheels, usable indoors, designed or modified for and used by individuals with mobility impairments, whether manually operated or powered.
- Walkers must be collapsible and able to be stored between seats or in the vehicle's trunk.
- The mobility device must be in good working order; with batteries charged, tires inflated, and all parts secure.

## **5. Mobility Device Brakes**

When occupying a lift or securement area, it is recommended that passengers apply the brakes on their mobility devices; however, they are not required to do so. With power chairs or scooters, it is recommended that the power switch be turned to the "off" position. Again, this is not mandatory.

## **6. Portable Oxygen Use**

Individuals with disabilities who use portable oxygen devices are allowed to travel with respirators and properly secured portable oxygen supplies. Oxygen supplies must not obstruct the aisle. (49 CFR 37.167(h))

## **7. Securement Policy**

Operators will use front and rear tie-downs to secure mobility devices. Operators will secure mobility devices at the strongest parts of the device; however, the passenger can indicate the most optimal tie-down spot. The mobility device will be secured front facing unless otherwise requested by the passenger. Drivers will assist passengers with securement systems, ramps, and seatbelts; however, drivers cannot assist riders using power chairs or scooters with the operation of their equipment. Makah Public Transit cannot refuse to transport someone whose mobility device cannot be satisfactorily restrained provided that mobility device fits within the definition described in Section 3. (49 CFR 37.165)

## **8. Stop Announcements**

Stops at major intersections, transfer points, and destination points will be announced on fixed route buses. Transit operators will announce other stops upon request. (49 CFR 37.167 (a-c))

## **9. Personal Care Attendants**

A Personal Care Attendant (PCA) may ride with you at no charge. A PCA is someone who travels with, and helps, a rider who is not able to travel alone. You must provide your own PCA

if you need one. Please let us know on your application form whether or not you will be using a PCA. This information will guarantee a place for him or her to ride with you.

Guests and companions may ride with you on Makah Public Transit. Guests and companions must pay regular fare. A companion is anyone who rides with you who is not designated as your PCA. (49 CFR 37 (d))

## **10. Service Animals**

A service animal is any guide dog, signal dog, or other animal individually trained to work or perform tasks for an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

- The animal must be on a leash, tether or harness unless use of such a device would interfere with the task the service animal performs or the person's disability prevents use of such devices. The service animal must remain under control of the owner and behave appropriately at all times.
- The animal must remain at your feet or on your lap. It may not sit on a vehicle seat.
- The animal must not be aggressive toward people or other animals. (49 CFR 37.167 (d))
- Any animal feces on the Transit must be cleaned by the handler.

Emotional support animals are not defined as service animals.

## **11. Boarding Assistance**

Operators shall position the bus to make boarding and de-boarding as easy as possible for everyone, minimize the slope of the ramp, and use the kneeling option as needed. Bus operators shall provide assistance to passengers upon request. Passengers with disabilities shall be allowed adequate time to board and disembark the vehicle.

## **12. Maintenance of Lifts or Ramps**

Bus operators must test the lift or ramp during the pre-trip inspection. Break down of accessibility equipment must be reported immediately to a Supervisor. A vehicle with an inoperable lift or ramp must be removed from service as soon as possible and cannot be returned to service until repaired. If there is a lift or ramp failure, a replacement vehicle must be dispatched if the next trip to the destination of any passenger using a mobility device is scheduled in more than 30 minutes. If the next trip to the destination of any passenger using a mobility device is scheduled in 30 minutes or less, a replacement vehicle may be dispatched if available. (49.CFR 37.163)

## **13. Priority Seating**

Upon request, bus operators shall ask – but not require – passengers to yield priority seating at the front of the bus to seniors and persons with disabilities. Drivers are not required to enforce the priority seating designation beyond making such a request.

#### **14. Reserved Seating**

Mobility device securement areas on buses are reserved. Passengers using common mobility aids shall be boarded if the securement areas are not otherwise occupied by a mobility device, regardless of the number of passengers on the bus. Bus operators are required to ask passengers sitting in the securement areas to move to other available seats or to stand.

#### **15. Suspension of Service**

A rider's privileges may be suspended for any of the following infractions on any Makah Public Transit property, including vehicles, bus stops, or stations:

- Smoking or carrying a lit pipe, cigar, or cigarette (unless in a designated smoking area).
- Discarding or dumping litter in places other than the recognized receptacles.
- Consuming alcoholic beverages or in possession of alcoholic beverages.
- Loud, raucous, unruly, harmful, or harassing behavior.
- Engaging in other conduct that is inconsistent with the intended purpose of the transit facility, station, or vehicle.

#### **16. Notification of Policy**

Makah Public Transit will notify the public of the ADA policy on the Makah.org website and in the riders guide.

#### **17. Visitor Certification**

Visitors are eligible for 21 days of service in a 365-day period beginning on the first day the service is used by the visitor. For additional days of service, the individual is expected to register under Makah Public Transit eligibility procedures. For individuals who reside outside the Makah Public Transit service jurisdictions, Makah Public Transit shall certify an individual with a disability as a visitor when providing documentation of residence and a statement that because of their disability they are unable to access the fixed route. (49 CFR 37.121)

#### **18. Complaint Process**

Makah Public Transit is committed to providing safe, reliable, and accessible transportation options for the community. Makah Public Transit has established a Customer Complaint Policy and customers wishing to file a complaint and/or obtain a copy of the Customer Complaint Policy may contact Patty Manuel, Operations Director, or Jeff Bartlett, Transit Supervisor,

Makah Public Transit at (360) 645-2201, or in person at Makah Public Transit's administration office located at 100 Resort Drive, Neah Bay, WA. 98357

### **19. Reasonable Modification**

Requests for modifications of Makah Public Transit policies, practices, or procedures to accommodate an individual with a disability may be made either in advance or at the time of the transportation service. Makah Public Transit is best able to address and accommodate a request when customers make their requests for before the trip. Contact Makah Public Transit office customer service for questions

### **20. Direct Threat**

If a person is violent, seriously disruptive, or engaging in illegal conduct Makah Public Transit may, consistent with established procedures for all riders, refuse to carry the passenger. A person who poses a significant risk to others may be excluded [from service] if reasonable modifications to the public accommodation's policies, practices, or procedures will not eliminate that risk. (49CFR 37.5 App. D/ 29 CFR 36.208)

Behaviors that may cause immediate exclusion from the system include:

- Destruction of public property (the vehicle, and/or its furnishings)
- Doing violence to others or to oneself
- Behavior that is seriously unruly, seriously disruptive, threatening, or frightening to others
- Behavior that interferes with the safe operation of the vehicle
- Violations of service animal policy by failing to control one's service animal
- Violations of operating rules governing the provision of transportation system-wide
- Engaging in illegal conduct.
- Other conduct judged by Makah Public Transit to represent an actual or potential threat to the health, safety or wellbeing of oneself, the operator, other passengers, and/or transit personnel.

Passengers who are excluded from the system due to a direct threat have the ability to request an administrative appeal by contacting Makah Public Transit at 360-645-2201.

### **21. Record Retention**

All records will be retained for six (6) after the end of the project.