



Provision of Service Policy Americans with Disabilities Act October 2023

A. Maintenance of Accessible Features

Bay Metropolitan Transportation Authority (BMTA) shall maintain in operative condition those features of vehicles that are required to make the vehicles readily accessible to and usable by individuals with disabilities. Accessible features shall be repaired promptly if they are damaged or out of order. When accessibility feature is out of order, BMTA shall take reasonable steps to accommodate individuals with disabilities who would otherwise use the feature.

All vehicle operators are required to cycle through all Lifts and Ramps and inspect interior lighting every morning before pullout. Seatbelts, shoulder harnesses, and wheelchair securement systems are also inspected. Priority seating and wheelchair securement area signage is inspected to make sure it is still affixed securely and legible. A mechanic is stationed with the vehicle operators at the time of pullout to assist with inspections and make corrective actions on the equipment if necessary; lube lifts and ramps, replace bulbs, and replace securements if damaged.

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

In this situation, the vehicle operator should:

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

If the inoperable lift or ramp cannot be fixed at its location, generally, upon its return to the Central Bus Station, the vehicle will be taken out of service until the equipment is repaired. A spare vehicle will be used in its place until that time. If a spare vehicle is unavailable, then BMTA may continue to use the vehicle with an inoperable lift/ramp for no more than three days. If this should be necessary, the BMTA demand-response service will supplement the service of the fixed route which has the deficient vehicle. If

at any time a spare vehicle becomes available, it would be put into service in place of the vehicle with the inoperable lift/ramp.

B. Lift and Securement Use

All BMTA vehicles meet accessibility standards for all wheelchair/occupant combinations, if the lift/ramp and vehicle can accommodate the wheelchair, BMTA shall transport the wheelchair and its occupant. BMTA may decline to carry a wheelchair/occupant if the combined weight exceeds that of the lift specification or if the carriage of the wheelchair is demonstrated to be inconsistent with legitimate safety requirements.

BMTA will not refuse to permit a passenger who uses a lift/ramp to disembark at any designated stop unless the lift/ramp cannot be deployed; the lift/ramp will be damaged if it is deployed; or temporary conditions at the stop, not under the control of BMTA, preclude the safe use of the stop by all passengers.

Wheelchairs are required to ride in designated securement locations on BMTA vehicles. It is required that the passenger permit their wheelchair to be secured. However, BMTA will not deny transportation to a wheelchair or its user on the grounds that the wheelchair cannot be secured or restrained satisfactorily by the vehicle's securement device. A lap belt and shoulder harness must be made available for each securement location. Vehicle Operators cannot require a passenger in a wheelchair to use a lap belt and/or shoulder harness.

Requesting Riders to Transfer to a Seat- Although it is required that a wheelchair be secured, it may be recommended to a user of a wheelchair that they transfer to a seat for safety. This situation may occur if the wheelchair is top-heavy (i.e. many styles of Amigos) or otherwise unstable because it is not suited for the securement device when the rider occupies the wheelchair. Vehicle Operators may not require the individual to transfer but should express their concern and make the request to transfer, if possible.

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

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

C. Other Service Requirements

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

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

Stop Announcements and Route Identification - On BMTA fixed route systems, operator shall announce stops as follows.

- Vehicle Operators are required to announce at transfer points with other fixed routes, major intersections and destination points, and at intervals along a route sufficient to permit individuals with visual impairments or other disabilities to be oriented to their location.
- Vehicle Operators shall announce any stop at the request of an individual with a disability.
- Vehicle Operators shall communicate with passengers and ensure passengers are oriented toward proper bus at shared stops and direction toward final destination from stop.
- Where automated annunciators are used, BMTA will ensure the accuracy and usability of the annunciators and Vehicle Operators will announce stops when the automated system is not functioning and any stop upon request.

Service Animals - Service animals are defined under DOT ADA regulations as “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 fetch dropped items.” Bay Metro permits service animals to accompany individuals with disabilities in vehicles and facilities. Emotional Support Animals (ESA) do not fall under this definition, but may be transported as pets, in a crate or carrier.

- Vehicle Operators may ask if the animal is a service animal and what functions it performs as such but will not require special ID cards for the animal or ask about a person's disability.
- A person with a disability cannot be asked to remove his service animal from the premises unless (1) the animal is out of control and the animal's owner does not take effective action to control it. (2) The

animal poses a direct threat to the health or safety of others. All Vehicle Operators must report any said incidents to their dispatcher.

Respirators and Portable Oxygen - Passengers are permitted to bring a respirator or oxygen supply on board any BMTA vehicle if they are needed. BMTA will require respirators and oxygen tanks to be in good working condition and that all oxygen tanks be secured.

Accessible Information – BMTA will ensure that individuals with disabilities have information available to them in accessible formats. BMTA works with individuals who request information to determine the most appropriate alternate formats. BMTA is closely associated with area agencies which serve persons with disabilities, such as, Disability Services Resource Center, which focuses specifically on eliminating barriers for persons with disabilities. This agency has assisted BMTA with referrals to individuals or agencies that produce alternative formats as needed.

Monitoring Vehicle Operator Use of Accessibility-related Equipment and or Features- BMTA is required to ensure compliance with the use of accessibility-related equipment and features and will do so through field observation. At various times on a quarterly basis, BMTA personnel or volunteer riders will ride and report Vehicle Operator compliance to the ADA regulations.

D. Personnel Training

BMTA shall ensure that personnel are trained to proficiency, as appropriate to their duties, so that they operate vehicles and equipment safely and properly assist and treat individuals with disabilities who use the service in a respectful and courteous way, with appropriate attention to the difference among individuals with disabilities.

Training provided specific to service provided to individuals with disabilities:

- Vehicle Operators-Proper operation of accessible equipment and features; providing appropriate assistance to individuals with disabilities with boarding, deboarding, and securements; communicating effectively with individuals with different types of disabilities; making stop announcements and route identification announcements; and positioning the bus so that the lift/ramp can be deployed and used.
- Vehicle Mechanics-Maintaining all accessibility equipment on vehicles and keeping maintenance and repair records.
- Receptionist, Complaint-Handler, Information Call-Takers, DART Reservationist-Communicating effectively with individuals with different types of disabilities; explaining the complaint-resolution process; and providing service information with special attention to the needs of individuals with different types of disabilities.
- Vehicle Dispatchers-Understanding all operating policies and procedures to effectively and properly assign vehicles, assisting vehicle operators on issues that may arise pertaining to accessible service, and communicating effectively with individuals with different types of disabilities.
- Managers and Supervisors-Understanding all operating policies and procedures and supervising employees to ensure they provide proper and consistent levels of service to individuals with disabilities.

BMTA has involved several individuals and agencies in the community to assist in various aspects of training based on the needs of individuals with different types of disabilities. The Disability Services Resource Center, Intermediate School District Special Education Division, member of the BMTA ADA/LAC Committee, MassTrans public transit association, and the Michigan Transit Pool are example of individuals and agencies that have made and are continuing to make contributions to our current training program.

E. Reasonable Modification Policy

BMTA shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability or to provide program accessibility to BMTA services,

BMTA will meet the requirements of the Reason Modification Policy as follows:

- Public information about how to request reasonable modifications is provided in all sources of public information as is any other policies or practices applicable to transportation services.
- The means by which an individual with disabilities can request a reasonable modification will be accessible. The information about the process will be provided to individuals in accessible formats if requested and the actual submission will be accepted in a variety of accessible means.
- Whenever possible, the need and determination for a reasonable modification will be determined in advance, such as, through the paratransit eligibility determination; customer service inquiries; or the complaint process.
- In the situation where the need for a reasonable modification is not realized until the time of service, operations personnel will contact the Safety and Training Officer to decide on the accommodation that needs to be made at the specific time.

BMTA will grant reasonable modifications to the maximum extent possible with the following exceptions:

- Granting the request would fundamentally alter the nature of BMTA's service or program.
- Granting the request would create a direct threat the health or safety of others.
- Without the modification, the individual with a disability is able to fully use BMTA's service or program for their intended purpose.
- Granting the request would create an undue financial or administrative burden.