

ALBANY PARATRANSIT SYSTEM
RIDER'S MANUAL



City of Albany ADA Complementary Paratransit

Who Are the “ADA Paratransit Eligible”?

Americans with Disabilities Act (ADA) regulations require Albany Transit System (ATS) to strictly limit ADA paratransit eligibility to individuals specified in the regulations. ADA establishes three categories of eligibility which are described as follow:

1. Any person with a disability who can use an accessible vehicle, but for whom *any* desired trip cannot be made because of the fixed route service they need to use is not yet accessible, is deemed eligible. The fixed route service includes vehicles and all related facilities. ATS buses are wheelchair lift equipped.
2. Any person who, because of the nature of their disability, cannot navigate even an accessible transit system. These include those persons who because of their disability cannot *independently* board, ride, and/or disembark from an accessible vehicle. This does not include the operation of the wheelchair lift since drivers are required to operate the lift.
3. Any person who has an impairment-related condition that prevents them from getting to or from a boarding or disembarking location. This category is narrowly defined. Examples might include severe chronic fatigue related to HIV infection and AIDS, heat sensitivity due to cardiovascular disease and hypothermia due to quadriplegia.

An individual may be eligible for paratransit who disability is intermittent or temporary. Those persons would be certified bases upon the most limiting aspects of their disability and, like many other ADA certified riders, rides will be subject to specified conditions.

Applying Eligibility to Trip Requests

Individuals are not qualified or disqualified for ADA paratransit service based on a specific medical diagnosis or disability. To ascertain if the individual fits the criteria, it is necessary to determine whether or not an individual's disability prevents him/her from utilizing any of the fixed route services provided by ATS. This determination will be made using the following four tests:

1. Does the disability prevent the individual from getting to and from a station/stop at point of origin or destination? If yes, then the trip is eligible. A distinction is made in the regulations between those who have difficulty (or simply find it unpleasant) to travel to or from a bus stop and those whose disability *prevents* them from doing so.
2. Can the individual board and utilize the vehicle at the station/stop? If the vehicle is inaccessible, the person is eligible.
3. Can the individual independently recognize the destination and disembark? If no, the trip is eligible. This test will form the basis of eligibility for many individuals with visual impairments and developmental cognitive disabilities.
4. If a trip involves transfers and connections, are the paths of travel between lines or modes accessible and navigable by the individual? If no, the trip is eligible.

Eligibility Process

1. Requests for application forms and APS information are taken by telephone or mail by Albany Call-A-Ride or ATS staff. Cassette tape and large print versions of the application and other Albany Paratransit System materials are available upon request.
2. ATS receives application. If the application is not complete, it will be returned to the applicant, noting the deficiency(ies). If the application is complete, the date received is recorded as the date accepted and an ATS representative conducts the initial review of the application. If necessary, the ATS representative will verify the information with either the applicant or the authorized professional, or both.
3. The ATS representative makes an eligibility determination based upon the information provided in the application and through subsequent contact with the applicant and/or the authorized professional. The certification process must be completed within 21 days of the submission of a properly completed application. If the process is not complete within 21 days, the application will be “presumed” to be eligible pending final determination.
4. The applicant is notified in writing (and other acceptable format as requested in the application of the decision. If certification has been approved, the applicant shall be provided with an APS handbook describing the service in detail. They also receive their APS identification card. Information about the eligibility appeal process will be included in the notification to the applicant.

5. If the applicant accepts the initial eligibility determination they sign and return a copy of the determination letter to ATS. Information regarding their eligibility will be provided to the APS provider.
6. The ATS Appeals Board shall conduct an independent evaluation of the application and may also interview the applicant and authorized professional. The Appeals Board makes a second determination of eligibility and notifies the applicant in writing and other acceptable format of the decision. The decision of the Appeals Board is final.

Denial of Paratransit Eligibility or Temporary Eligibility

The applicant shall be notified in writing (and such other format as requested in the application for service) of the initial ADA eligibility determination. If eligibility has been denied or is subject to conditions, information describing the appeals process shall be included in the notification to the applicant.

ADA Paratransit service shall not be provided to the appellant pending the determination appeal, except as otherwise approved by the initial eligibility determination or as noted in the appeals process.

Suspension of Eligibility

At times, the ATS Paratransit Service may suspend eligibility for an ADA rider. Persons who demonstrate a consistent pattern of missing scheduled paratransit trips may lose their eligibility for a period of time. Individuals whose behavior is extremely disruptive or threatening may also have their service suspended for a period of time.

Before suspending service, ATS shall notify the individual in writing (and such other format as requested in the application for service) that ATS proposes to suspend service. The notification shall cite the basis of the proposed suspension, set for the proposed sanction, and provide information describing the appeals process. In these instances, the individual shall remain eligible for paratransit service during the appeal pendency.

Termination of Eligibility

A person whose behavior threatens or has threatened the safety of paratransit personnel or other riders, may be denied the service. The denial of service shall be documented by the person or persons denying the service. If the denial of service extends beyond the time of the originating incident, the ATS shall notify the individual in writing (and such other format as requested in the application for service) that ATS has terminated their eligibility, citing the basis of the termination. Information describing the appeals process shall be included in the notification. Because of the circumstances initiating the denial of service, no service shall be provided during the appeals process.

Appeals Process

An individual may appeal a negative eligibility or suspension or termination decision to an Albany Paratransit Appeals Board appointed by the City of Albany. The APS Appeals Board shall not have been involved in the decision being appealed.

An appeal of an eligibility determination must be filed within 60 days of the date of the eligibility notice. An appeal of a termination or proposed suspension must be filed within ten (10) days of the dated of termination or proposed suspension notice. An appeal shall not be considered if it is not received by the Albany Transit System within the specified time limit.

The appeal must be in written or audio form and may be completed by a third party if the individual desires. The appeal must include the following information: the appellant's name, address, and telephone number; and the reason for the appeal.

If an appeal is filed within the appropriate time period, and contains the required information, the APS Appeals Board shall set the date, time, and place of the hearing. The appellant shall then be notified. The appellant shall have an opportunity to be heard

and to present information and arguments at the hearing. The appellant shall be provided with any necessary support (e.g. sign language interpreter, etc.) if requested in the appeal. The appellant and an ATS representative may present evidence, including the testimony of witnesses, in support of or in opposition to the appellant's case.

The ATS Appeals Board's decision and the reasons for it shall be provided to the appellant in writing and such other format as requested in the application. The decision of the ATS Appeals Board is final.

If an appeal has not been decided within 30 days of the completion of the hearing ATS shall provide paratransit service from that time until a decision to deny the appeal has been issued.

Fare Policy

Fares charged to Albany complementary paratransit shall be twice the full fare that would be charged for a comparable trip (without regard to discounts for age or disability) on the Albany Transit System's fixed route service. Companions traveling with an ADA certified person shall pay the same full fare as the certified person. A Personal Care Attendant (PCA) travelling with an ADA certified person shall not be charged a fare. (See attendant and companion policy.)

Attendant Policy

Riders must be able to get to and from the vehicle with only minimal assistance or must provide a PCA. Drivers will not perform the duties of a PCA. Riders needing such help must make their own arrangements for this assistance. PCA's may be a friend or family member or may be a paid employee of the eligible person. The PCA serves as a mobility aid to the eligible person. The need for a PCA must be noted on the application form at the time of eligibility certification.

There is no charge for a PCA. A PCA is not considered a companion and is not subject to the same restrictions that apply to companions.

Companion Policy

An eligible individual may travel with at least one guest. Additional guests may accompany the ADA client on a space-available basis. Confirmed reservations for additional guests are restricted to the day of the trip. The fare for each guest will be the same as for the ADA eligible customer.

Mobility Aids

ADA eligible riders may travel using mobility aids. Mobility aids may include, but are not limited to the following: canes, walkers, wheelchairs, Personal Care Attendants, service animals such as guide dogs, respirators, portable oxygen, and other life support systems. Aids may not accompany the rider if they would violate rules concerning the transportation of hazardous materials.

All mobility aids will be transported providing their user is ADA eligible. Both three-wheeled and four wheeled mobility aids will be transported. All mobility aids must be secured during transportation. Functional brakes are required on all wheelchairs.

Reservation Policy

Response Time

Requests for service may be made the day preceding the requested ride and up to 14 days in advance of the requested ride. Requests for service will be taken during the hours that the provider's Call-A-Ride offices are open. The provider may schedule rides up to one hour before or one hour after the time the ride is requested. For example, if a certified rider requests a ride for 10:00 a.m., the provider may schedule the ride anytime between 9:00 a.m. and 11:00 a.m. The provider shall attempt to schedule all requested rides up to one hour before a scheduled appointment. The Saturday and Sunday requests may be handled by the use of an answering machine or other arrangement.

Subscription Service*

Subscription service shall not absorb more than fifty (50) percent of the number of the ADA trips available at any given time of day, unless there is excess non-subscription capacity.

*Subscription service is the practice of providing repetitive trips over an extended period of time without requiring that individuals call to request each trip. Subscription service is not required by the regulations; therefore, restrictions may be imposed.