



F E D E R A L   T R A N S I T   A D M I N I S T R A T I O N

## **City of Porterville**

ADA Paratransit Compliance Review

Final Report

November 2020



U.S. Department of Transportation  
**Federal Transit Administration**

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- A FTA Notification Letter to City Porterville Transit
  - B Porterville Transit “Dial-A-Ride Guide to Ride”
  - C Porterville Transit Dial-A-Ride Application Instructions, Certification Questionnaire, and Professional Verification Form
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## Executive Summary

### Objective and Methodology

This report details the results of a compliance review of the complementary paratransit service operated by the City of Porterville Transit (Porterville Transit) in Porterville, CA. The review's objective is to verify whether the City is meeting its obligations under the Americans with Disabilities Act (ADA) to provide paratransit as a complement to its fixed route service.

This compliance review included three stages:

1. Preparation: compilation of information covering policies and procedures and interviews with eligible Porterville Transit paratransit riders and local disability organizations
2. Site visit: a three-person review team's observations of Porterville Transit's paratransit trip requests, including scheduling and dispatching, examination of eligibility applications and related documents (including appeals), and interviews with Porterville Transit and City employees
3. Analysis and reporting: identification of deficiencies requiring corrective actions and suggestions of effective practices in complementary paratransit service

Porterville Transit's complementary paratransit service includes the following positive program elements:

#### **Positive Program Elements**

- Cross-training of staff and procedures for backup support at the Downtown Transit Center
- Hands-on approach to customer service

The following administrative deficiencies are easily correctable to bring its program into compliance with 49 CFR Parts 27, 37 and 38:

#### **Administrative Deficiencies**

- Porterville Transit does not have procedures to confer ADA paratransit eligibility to applicants who meet the regulatory criteria of eligibility
- Porterville Transit does not have templates for letters of ADA paratransit eligibility denial; letters of approval are lacking some required information
- Public information materials and eligibility determination letters are inconsistent regarding the length of eligibility and whether or how recertification is required

The following substantive deficiencies need to be addressed to bring its program into compliance with 49 CFR Parts 27, 37 and 38:

**Substantive Deficiencies**

- Porterville Transit does not have a process in place to accept and schedule next-day trip requests on days in which the office is closed
- Porterville Transit had 13.2 percent late pickups
- City of Porterville does not play an active role in its process for accepting and resolving ADA-related complaints concerning Porterville Transit
- City's monitoring of service quality has been inconsistent and incomplete

Please see Section 6 for a discussion of all 22 deficiencies. The Summary Table of Compliance Review Findings (following Section 6) lists all findings. Unless otherwise stated, the City of Porterville must address all deficiencies within 60 days of receipt of this report.

## 1 General Information

This chapter provides basic information concerning this compliance review of Porterville Transit. Information on Porterville Transit, the review team, and the dates of the review are presented below.

<b>Grant Recipient:</b>	City of Porterville, CA
<b>City/State:</b>	Porterville, CA
<b>Recipient ID:</b>	6260
<b>Executive Official:</b>	Martha Flores, Mayor
<b>On-site Liaison:</b>	Richard Tree, Transit Manager
<b>Report Prepared By:</b>	the Collaborative, Inc.
<b>Dates of On-Site Visit:</b>	November 12–15, 2019
<b>Review Team Members:</b>	David Chia, the Collaborative, Inc. Patti Monahan, the Collaborative, Inc. Alison Goyer, the Collaborative, Inc.

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## **2 Jurisdiction and Authorities**

Public entities that operate fixed route transportation services for the general public are required by the U.S. Department of Transportation (DOT) regulations implementing the Americans with Disabilities Act of 1990 (ADA) to provide ADA complementary paratransit service for persons who, because of their disability, are unable to use the fixed route system. These regulations (49 CFR Parts 27, 37, and 38) include eligibility requirements and service criteria that must be met by ADA complementary paratransit service programs. Section 37.135(d) of the regulations required that ADA complementary paratransit service met these criteria by January 26, 1997.

The Federal Transit Administration (FTA) is responsible for ensuring compliance with the ADA and the DOT regulations implementing the ADA.

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### **3 Purpose and Objectives**

This chapter discusses the purpose and objectives of an FTA ADA complementary paratransit compliance review and the review process.

#### **3.1 Purpose**

Pursuant to 49 CFR §§ 27.19 and 27.123, as part of its oversight efforts, the FTA, through its Office of Civil Rights, conducts periodic reviews of fixed route transit and ADA complementary paratransit services operated by its grantees. Compliance with all applicable requirements of the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. 12101–12213) including the DOT’s ADA regulations is a condition of eligibility for receiving federal financial assistance.

#### **3.2 Objectives**

The primary objective of this paratransit review is to verify whether a public operator of a fixed route transit system that receives FTA funding is meeting its obligations under the ADA to provide paratransit as a complement to its fixed route service. This review examines the policies, procedures, and operations of Porterville Transit service concerning service provision, including origin-to- destination service; eligibility, including the process used to determine who is eligible for the service; receiving and resolving complaints; and meeting the ADA complementary paratransit service criteria as specified in 49 CFR § 37.131.

The review team observed dispatch, reservations, and scheduling operations and independently analyzed service statistics, basic service records, and operating documents. FTA solicited comments from eligible riders and from local disability organizations.

This report will summarize findings and advisory comments. Findings of deficiency require corrective action and/or additional reporting. Advisory comments are statements detailing recommended or suggested changes to policy or practice to ensure effective practices under the ADA.

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## 4 Introduction to Porterville Transit

The City of Porterville Transit (Porterville Transit) provides fixed route bus service and ADA complementary paratransit service in Porterville, CA. Porterville Transit is a service of the City of Porterville within the City's public works department. Porterville Transit's administrative office is located at 15 East Thurman Avenue, Porterville.

Porterville Transit's Fiscal Year (FY) 2018 budget, including operating and capital, was \$5.79 million, of which \$4.03 million was operating. The budget in FY 2017 was \$3.94 million, of which \$3.86 million was operating. A majority of FY 2018 operating funds came from federal assistance with other funds coming from fares and local support (all financial data from National Transit Database).

Porterville Transit's fixed route service consists of nine local routes. All routes operate seven days a week. In FY 2018, Porterville Transit's fixed route ridership was 635,648 passenger trips.



For more information on Porterville Transit, go to <http://www.ci.porterville.ca.us/depts/PortervilleTransit/>

### 4.1 Complementary Paratransit Services

Porterville Transit provides ADA complementary paratransit service through its “Dial-A-Ride” service. While Dial-A-Ride is open to the general public, a great majority of the trips are ADA complementary paratransit riders (and their personal care attendants and companions). In FY 2019, there were 13,112 Dial-A-Ride passenger trips. Table 4.1 presents ridership statistics for FY 2016–2020 as well as the percent change in ridership from the prior fiscal year. Porterville Transit reported 17 trip denials for FY 2018. In the following two years, it has reported two denials.

**Table 4.1 – Porterville Paratransit Ridership**

Fiscal Year	Trips	Annual Change
2016	9,726	—
2017	10,480	7.8%
2018	13,001	24.1%
2019	13,112	0.9%
2020 (3 mos.)	3,014	—

The City of Porterville uses a private contractor, Tree's Sierra Management, Inc. (Sierra Management) as a turnkey operator for both fixed route bus and paratransit services. Sierra Management has been the City's contractor for over 20 years. The current contract runs to 2022. Sierra Management provides all management, drivers, and other staff; employee training; and software. The administrative office is in downtown Porterville, across the street from City Hall. The Downtown Transit Center is located at 61 West Oak Avenue. All fixed routes begin here. Dispatch (both paratransit and fixed route), reservations, scheduling, customer service, and call center are also located here.

The paratransit fleet consists of seven vehicles: three small cutaway buses (capacity of 15 ambulatory riders, with two wheelchair positions) and four minivans (five ambulatory riders, one wheelchair position). All are equipped with ramps and range in age from model year 2006 to model year 2013. The City owns the vehicles. The City's public works department maintains and garages the vehicles.

## 5 Scope and Methodology

The purpose of this review is to provide FTA with a tool for determining whether a public operator of a fixed route system is in compliance with the complementary paratransit requirements under DOT ADA regulations. However, the deficiencies identified, and findings made in this report are by necessity limited to the information available to and the observations made by the review team at the time of the site visit. A lack of findings in a particular review area does not constitute endorsement or approval of an entity's specific policies, procedures, or operations; instead, it simply indicates that no deficiencies in the delivery of service were observed at the time of the site visit.

The scope of the review and the methodology employed by the review team is described in greater detail below.

### 5.1 Scope

The review focused on whether the Porterville Transit complementary paratransit service operates according to the service criteria specified in 49 CFR § 37.131 of the DOT ADA regulations, and without capacity constraints prohibited under 49 CFR § 37.131(f). The review examined the paratransit service area, response time, fares, and hours and days of service, as well as Porterville Transit's policies, standards, and procedures for monitoring service provision, including on-time performance, on-board travel time, telephone hold times, and avoiding trip denials and missed trips. The review sought to ascertain whether service is being provided to eligible individuals within at least the minimum required service area on a next-day basis, during the same hours and days as the fixed route system, for not more than twice the fixed route fare for the same trip; whether there are patterns or practices that result in a substantial number of trip limits, trip denials, untimely pickups, or trips of excessive length; policies that cause riders to arrive late to appointments; or long telephone hold times, as defined by the transit agency's established standards (or typical practices if standards do not exist).

Overall, the complementary paratransit review included the following regulatory requirements:

- Complaint resolution and compliance information (49 CFR §§ 27.13(b), 27.121(b), and 37.17)
- Nondiscrimination (49 CFR. § 37.5)
- Service under contract (49 CFR § 37.23)
- Requirement for comparable complementary paratransit service (49 CFR § 37.121)
- ADA paratransit eligibility: Standards (49 CFR § 37.123)
- ADA paratransit eligibility: Process (49 CFR § 37.125) including whether:
  - Information is made available in accessible formats upon request
  - A decision is made within 21 days or presumptive eligibility is granted pending a decision
  - There is written notification of all decisions
  - All denials or conditional eligibility determinations are completed in writing with specific reasons for the decision
  - There is an administrative appeals process for denials and conditional eligibility determinations

- Reasonable policies for suspending service to eligible riders who establish a pattern or practice of missing trips
- Complementary paratransit service for visitors (49 CFR § 37.127)
- Types of service (49 CFR § 37.129)
- Service criteria for complementary paratransit (49 CFR § 37.131) including:
  - Service area
  - Response time
  - Fares
  - Trip purpose restrictions
  - Hours and days of service
  - Capacity constraints
- Subscription service (49 CFR § 37.133)
- Training requirements (49 CFR § 37.173)

## 5.2 Methodology

FTA's Office of Civil Rights sent a notification letter on October 7, 2019 to Richard Tree, transit manager for the City of Porterville, requesting him to send information to the review team before the site visit. See Attachment A.

The review team leader spoke by telephone with the transit manager on October 9, 2019 to discuss the information request. Prior to the on-site visit, the review team examined the following service information:

- The structure of Porterville Transit's complementary paratransit service
- Public information describing the complementary paratransit service
- Porterville Transit's standards and goals for on-time performance, trip denials, missed trips, complementary paratransit trip length, on-time performance, and telephone hold times

As requested by FTA, Porterville Transit made additional information available during the visit:

- Records of consumer comments and complaints related to capacity issues, including trip denials, on-time performance, travel time, and telephone access
- Procedures for addressing rider complaints and other incident reports
- Complaint recordkeeping processes
- A fleet roster of paratransit vehicles
- A listing of complementary paratransit drivers and their start dates
- Operating budgets, capital spending plans, and cost data

The Porterville Transit complementary paratransit service site visit took place from November 12–15, 2019. The visit began with an opening conference, held at 9 a.m. on November 12 at the Porterville Transit's administrative office, 15 East Thurman Avenue. Attending the conference were:

- Richard Tree, Transit Manager, Porterville Transit



- Robert Tree, Director of Operations, Porterville Transit
- Jacob Bedolla, Director of Technology, Porterville Transit
- Trisha Whiteley, Administrative Aide, City of Porterville
- John Day, Program Manager for Policy and Technical Assistance, FTA (via telephone)
- Lynette Little, Regional Civil Rights Officer, FTA Region 9 (via telephone)
- David Chia, Review Team Leader, the Collaborative, Inc.
- Patti Monahan, Review Team Member, the Collaborative, Inc.
- Alison Goyer, Review Team Member, the Collaborative, Inc.

Following the opening conference, the review team met with Porterville Transit's transit manager, director of operations, and technology manager at the administrative office to discuss the requested information and Porterville Transit's complementary paratransit policies and procedures. They discussed the history of Porterville paratransit service and the relationship between the City and Sierra Management. They discussed the potential consolidation of Porterville Transit with other transit agencies in Tulare County, CA. Reviewers also discussed site visit logistics with the managers, including staff interviews and data sources.

During the afternoon, one team member began to review the eligibility determination process. This included an interview with the administrative assistant who reviews eligibility applications and makes determinations. She also provided sample applicant files. This team member also obtained telephone call data from the City. One team member observed the dispatcher as he accepted trip request calls at the Downtown Transit Center. This team member also observed the dispatcher and talked about scheduling paratransit trips. Another team member interviewed one driver at the Downtown Transit Center.

On November 13, one team member returned to the Downtown Transit Center to observe trip request calls and to further observe dispatching and discuss the scheduling processes. Another team member interviewed three drivers. Team members worked with the technology director to generate the sample trip data for analysis of on-time performance and trip lengths. A team member reviewed agency policies and procedures to analyze compliance with service criteria. A team member also reviewed the available complaints collected by Porterville Transit. Another team member continued review of eligibility files, eligibility documentation, and the determination outcomes.

On November 14, all three review team members met with the administrative aide from the City of Porterville who is the key liaison with Porterville Transit. She discussed her role in complaint processing and other oversight of Porterville Transit. A team member continued analysis of telephone call and hold time data. Two team members also spoke to the transit manager about the agency's budget process and available resources. A team member analyzed trip data for on-time performance and trip lengths. Another team member reviewed fixed route and Dial-A-Ride policies to determine if there any instances of discrimination. One team member returned to the Downtown Transit Center to interview another driver.

On November 15, the review team continued to analyze data and review eligibility files. They analyzed a sample of trips coded as no-shows to determine if some were actually carrier missed trips. They had further discussions with Porterville Transit's manager, director of operations, and

technology manager. They prepared for the exit conference, which took place at 1 p.m. at Porterville Transit's administrative office. Attending the conference were:

- Richard Tree, Transit Manager, Porterville Transit
- Robert Tree, Director of Operations, Porterville Transit
- Jacob Bedolla, Director of Technology, Porterville Transit
- John Lollis, City Manager, City of Porterville
- Michael Knight, Public Works Director, City of Porterville
- Trisha Whiteley, Administrative Aide, City of Porterville
- John Day, Program Manager for Policy and Technical Assistance, FTA (via telephone)
- Lynette Little, Regional Civil Rights Officer, FTA Region 9 (via telephone)
- David Chia, Review Team Leader, the Collaborative, Inc.
- Patti Monahan, Review Team Member, the Collaborative, Inc.
- Alison Goyer, Review Team Member, the Collaborative, Inc.

FTA provided the City of Porterville with a draft copy of the report for review and response. The City of Porterville had no comments on the draft report.

### 5.3 Stakeholder Interviews

Before the site visit, the review team interviewed two complementary paratransit riders and three representatives of agencies that work with paratransit riders. The following is a summary of comments received:

**Eligibility.** No interviewee cited concerns with the initial eligibility determination process, or with the process for recertification. Interviewees described the process as reasonable.

**Telephone access.** No interviewee cited any concerns with telephone hold times. One individual remembered a single time when the telephones lines were not working.

**Reservations, denials, and wait lists.** No interviewee cited concerns with trip denials or wait lists. Usually, callers did not have to negotiate pickup times. Interviewees said that they could request either a pickup or drop-off time.

**On-time performance.** Most interviewees were satisfied with on-time performance. One noted that drivers often arrived at the pickup location early—though if it was not clear if the arrival times were in the pickup window. Interviewees said that the drivers knew the service area and did not get lost.

**Travel times.** No interviewee had a concern with long trips.

**Drivers.** Interviewees were positive about the paratransit drivers. They cited the personnel assistance provided to riders who needed help. A rider representative described drivers as “very good.”

**Resolving complaints.** One representative called Porterville Transit “a long time ago” to complain about several late trips. She did not have any concerns about the response. Other interviewees had no complaint-related experiences.

## 6 Findings and Advisory Comments

This chapter details the findings for each of the areas pertinent to the regulations found in 49 CFR Parts 27, 37 and 38 outlined in the Scope and Methodology section above. For each area, an overview of the relevant regulations and a discussion of the regulations as they apply to Porterville Transit's complementary paratransit service is provided, with corrective actions and a timetable to correct deficiencies for each of the requirements and sub-requirements where necessary.

Findings are expressed in terms of "deficiency" or "no deficiency." Findings of deficiency denote policies or practices found to be not in compliance with DOT ADA regulations or matters for which FTA requires additional reporting to determine whether an ADA compliance issue exists.

Findings of deficiency always require corrective action and/or additional reporting, and will always be expressed as:

- A statement concerning the policy or practice in question at the time of the review
- A statement concerning the DOT ADA requirements being violated or potentially being violated
- A statement concerning the required corrective action to resolve the issue

Advisory comments are statements detailing recommended or suggested changes to policies or practices to ensure effective practices under the ADA or otherwise assist the entity in achieving or maintaining compliance.

### 6.1 Comparable Complementary Paratransit Service

**Requirement:** Under 49 CFR § 37.121, transit agencies operating a fixed route system must provide complementary paratransit service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed route system.

**Discussion:** During this review, no deficiencies were found with the requirement. See Attachment B for "Dial-A-Ride Guide to Ride" (Guide to Ride), a description of Porterville Transit's paratransit service.

### 6.2 Paratransit Eligibility Process

#### Absence of Administrative Burdens

**Requirement:** Under 49 CFR § 37.125, transit agencies must establish an eligibility process for complementary paratransit. The process may not impose unreasonable administrative burdens on applicants, and, since it is part of the entity's nondiscrimination obligations under § 37.5(d), may not involve "user fees" or application fees to the applicant.

**Discussion:** During this review, no deficiencies were found with the requirement to not impose unreasonable administrative burdens on applicants. An advisory comment is offered concerning making the eligibility application more readily available.

Porterville Transit's ADA paratransit eligibility determinations are based on a two-part paper application form (see Attachment C for a copy of the application form). The form defines ADA paratransit eligibility and describes the application process.

The Guide to Ride notes that the form is available in person or by phone from the Downtown Transit Center, Porterville City Hall, or the Porterville Transit office. The review team confirmed that the form is available at Porterville Transit's office and at the Transit Center.

The Guide to Ride also states that a copy of the form is included in the document, but only the instructions are included. The Guide to Ride also states that the form is available on the Porterville Transit website, but it is not currently available there. Limiting availability of the form to phone requests for a mailed copy and locations where it must be picked up in person poses a burden on potential applicants.

**Advisory Comment:** It is an effective practice for Porterville Transit to make its ADA paratransit eligibility forms available in all the locations noted in its Guide to Ride, including the Porterville Transit website and within the Guide to Ride.

### Paratransit Eligibility Standards

**Requirements:** Under 49 CFR § 37.123(e)(1)(3), a transit agency's eligibility processes, application materials, and public information must be comprehensive enough to permit the transit agency to determine that the following individuals are ADA paratransit eligible:

Any individual with a disability who is unable, as the result of a physical or mental impairment (including a vision impairment), and without the assistance of another individual (except the operator of a wheelchair lift or other boarding assistance device), to board, ride, or disembark from any vehicle on the system which is readily accessible to and usable by individuals with disabilities

Any individual with a disability who needs the assistance of a wheelchair lift 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

Any 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

**Discussion:** During this review, deficiencies were found with the requirement that Porterville Transit have procedures and criteria to make eligibility determinations in accordance with the regulatory criteria. Advisory comments regarding communication of eligibility policies and procedures to potential applicants are also offered.

The review team reviewed Porterville Transit's webpage describing the eligibility process as well as the Guide to Ride. The review also examined the application form ("Certification Questionnaire") and professional verification form. The review team interviewed the Porterville Transit administrative assistant who makes the eligibility determinations. The review team examined the files of the 29 individuals who applied for eligibility in 2018 and 2019.

The review team identified concerns regarding Porterville Transit's implementation of its eligibility process as described on its website and in the Guide to Ride, including the standards used to determine eligibility. These are discussed below.

Porterville Transit's website describes the three regulatory categories of eligibility for ADA paratransit service:

- **Category 1:** Eligibility includes those persons who, because of their disability, cannot independently use a regular, accessible bus
- **Category 2:** Eligibility is based on the accessibility of vehicles and terminals/stops (for example, a person is able to use the regular bus, but it is not accessible)
- **Category 3:** Eligibility pertains to situations in which a person cannot travel independently to or from a bus stop

Porterville Transit's ADA paratransit eligibility form consists of two parts.

1. Certification Questionnaire to be completed by the applicant or their designee
2. Professional Verification Form to be completed by a health care professional familiar with the individual. Acceptable professionals include:
  - Physicians or psychiatrists
  - Occupational therapists
  - Psychologists
  - Recreational therapists
  - Registered nurses

The Certification Questionnaire contains basic information about the applicant, emergency contact information, general questions about the applicant's disability and how it prevents the individual from independently using the "regular city bus," a number of specific questions about the individual's functional abilities as they relate to use of transit service, and use of mobility aids. It does not ask about the need for a PCA.

The Professional Verification Form requests information about the individual's disability and his/her functional, cognitive, and emotional/behavioral abilities as they relate to his/her ability to board, ride, or disembark from a "regular fixed route bus," or get to or from a bus stop.

When requesting a sample of ADA paratransit application forms and determination letters, the review team learned that Porterville Transit staff had been inadvertently providing the Reduced Fare Application Form to individuals seeking ADA paratransit eligibility in 2018 and 2019. This form requests basic information from the applicant and verification from a licensed professional that the individual meets disability eligibility criteria; a list of qualifying disabilities is provided on the form.

Porterville Transit approved all applications during that time period: 16 from 2019 and 13 from 2018. Most individuals were sent a letter stating that they were approved for reduced fare eligibility. However, one applicant received a letter that conferred ADA paratransit eligibility.

Due to the use of the reduced fare application form only, it is not possible to tell whether individuals were seeking eligibility for the reduced fixed route fare or for ADA paratransit service. It is likely that some of the 29 applicants in 2018 and 2019 were interested in paratransit eligibility rather than reduced fixed route fare eligibility; a review of the Routematch paratransit database showed that 11 of those applicants were included as Dial-A-Ride users. With its current process, Porterville Transit is choosing to provide paratransit service to individuals who would not necessarily qualify based on their disability preventing their use of fixed route service. However, Porterville Transit does not have in place appropriate procedures and criteria to strictly limit ADA complementary paratransit eligibility to individuals who meet the criteria of § 37.123(e)(1)(3).

**Corrective Actions and Schedule:** Within 60 days of the issuance of the final report, Porterville Transit must submit procedures consistent with 49 CFR § 37.125 that would confer ADA complementary paratransit eligibility to applicants who meet the criteria contained in 49 CFR § 37.123.

**Advisory Comments:** Should Porterville Transit begin making determinations of ineligibility or less-than-unconditional eligibility, determination letters must state specific reasons for the decision and provide information on the appeal process.

### **Eligibility Process**

Application forms are processed by the Porterville Transit administrative assistant, who indicated that most forms are dropped off at the Porterville Transit office or at the Downtown Transit Center. The assistant notes the date of receipt on each form, reviews the application for completeness, and calls the applicant if key information is missing or the professional verification form is missing or incomplete. When the application is complete, the assistant reviews the information submitted by the applicant and the health care professional. In practice, all applicants are granted unconditional eligibility.

Additional steps in the ADA eligibility process are described differently on the Certification Questionnaire and on the Porterville Transit website. The Certification Questionnaire states that an in-person assessment may be requested of some applicants. The website states that an in-person interview is required of all applicants. In practice, Porterville Transit uses neither interviews nor in-person assessments to help make eligibility decisions.

Porterville Transit makes eligibility decisions and communicates them in writing (see “Written Eligibility Determinations ” below). Processed applications are sent to the Downtown Transit Center, where scheduling/dispatch staff enters information on the new certified riders into the paratransit database.

**Advisory Comments:** It is an effective practice to ensure that all public information materials—the Porterville Transit website, the Guide to Ride, and the Certification Questionnaire—describe the ADA eligibility process in the same way, and consistent with actual practice. For example, if in-person interviews or assessments are not part of the eligibility determination process, it would be less confusing to potential applicants to remove references to them in information material. It is also an effective practice to provide additional training to contractor and City staff who will take part in eligibility determinations (further discussed in “Section 6.9 Training Requirements”).

### **Eligible Riders, Application Volume, and Certification Outcomes**

As noted above, Porterville Transit received 29 applications for eligibility for either fixed route reduced fares or ADA paratransit in 2018 and 2019. All were approved.

It is Porterville Transit’s practice to approve all applications for ADA paratransit eligibility if the information on the professional verification form indicates a disability.

### **Examination of Sample Eligibility Decisions**

Because of the use of the fixed route reduced fare application only in 2018 and 2019, the review team was unable to review ADA paratransit eligibility decisions to assess whether determinations correctly applied the regulatory criteria for eligibility.

## Accessible Information

**Requirement:** Under 49 CFR § 37.125(b), transit agencies must make all information about the process, materials necessary to apply for eligibility, and notices and determinations concerning eligibility available in accessible formats, either as a rule or upon request.

**Discussion:** During this review, no deficiencies were found with the requirement to provide accessible eligibility information or with how the transit agency communicates the availability of materials in accessible formats to applicants and potential applicants.

Porterville Transit's website states that informational materials are available in the following formats upon request:

- Electronic
- Braille
- Large Print
- Audio
- Transcript
- Plain Text

To date, Porterville Transit has received requests only for copies of application forms in large print.

## Eligibility Determinations Within 21 Days

**Requirement:** Under 49 CFR § 37.125(c), a transit agency that has not made a written eligibility determination by the 21st day following submission of a complete application must treat the applicant as eligible on the 22nd day and provide service until and unless the transit agency denies the application. Transit agencies that require functional assessments must schedule such assessments within a reasonable period of time (7–10 days). The transit agency's process must communicate to applicants the right to this presumptive eligibility, so they are aware of their rights to schedule and use the service beginning on the 22nd day.

**Discussion:** During this review, no deficiencies were found with the requirement to have a presumptive eligibility process in place and/or make an eligibility determination within 21 days of receipt of a complete application. Advisory comments are made regarding how Porterville Transit communicates application processing time and presumptive eligibility to applicants and how Porterville Transit tracks its eligibility determination process.

The Porterville Transit administrative assistant records the date received on each application form. Letters that are sent to applicants are also dated. No spreadsheet or log is currently used to track application processing dates. The Porterville Transit administrative assistant reported that because few applications are received, there is no difficulty meeting the 21-day processing deadline.

Of the 29 reduced fixed route fare applications received in 2018 and 2019, 11 were from individuals who are included in the paratransit customer database, indicating that those applicants sought ADA paratransit eligibility rather than reduced fixed route fare eligibility. For those 11 applications, the review team compared the dates of receipt to the dates of eligibility letters. Two applications did not include the date of receipt. For the other nine applicants, determinations were made and letters sent in four or fewer days.

The Guide to Ride addresses presumptive eligibility:

If Porterville Transit has not made a determination of eligibility 21 days after the submission of an individual's completed application, the applicant will be treated as eligible and provided service unless and until Porterville Transit makes a determination of eligibility

The Certification Questionnaire and instructions mention the 21-day processing timeframe, but do not include the presumptive eligibility policy. Neither the processing timeframe nor the presumptive eligibility are described on the Porterville Transit website.

**Advisory Comments:** It is an effective practice to ensure all public documents describing eligibility explicitly set forth the right to presumptive eligibility when determinations take more than 21 days.

It is also an effective practice to keep determination process records (e.g., in a spreadsheet) of all key milestones and application interactions. Porterville Transit may consider tracking the dates of the following actions:

- Receipt of application
- Receipt of professional verification
- Initial review
- Follow-up information request(s) to applicant and/or professional, if any
- Receipt of follow-up information, if any
- Completed application
- Determination made
- Determination letter sent

### Written Eligibility Determinations

**Requirements:** Under 49 CFR § 37.125(d), determinations of eligibility must be made in writing. The documentation must include the name of the eligible individual, the name of the transit provider, the telephone number of the entity's paratransit coordinator, an expiration date for eligibility, and any conditions or limitations on the individual's eligibility including the use of a personal care attendant (PCA). Under § 37.125(e), if applicants are found to be ineligible, the determination must state the specific reasons for the decision (a mere statement that the applicant has been found to be ineligible is not sufficient). If an individual has been determined to be conditionally or temporarily eligible, the determination must state the conditions under which eligibility is granted and the basis for that determination. Information concerning the applicant's right to appeal under § 37.125(g) must also be provided.

**Discussion:** During this review, deficiencies were found with certain aspects of Porterville Transit's written eligibility determinations. In addition, advisory comments are provided regarding Porterville's public information regarding ID cards.

Porterville Transit provided the review team the following sample determination letter:

- Unconditional

The letter includes the following required information:

- Name of eligible individual



- Name of transit provider
- Expiration date for eligibility—included in some letters

The letter does not provide the phone number of the paratransit coordinator and does not state whether a rider has indicated the use of a personal care attendant (PCA), both of which are required pieces of information.

Since no denials of eligibility or determinations of temporary eligibility, or conditional eligibility have ever been made, Porterville Transit does not have templates for the letters to be used in these circumstances.

The letters sent to applicants serve as the official documentation required by 49 CFR § 37.125(d). Porterville Transit does not issue separate ID cards to certified riders. However, letters and the Guide to Ride instruct certified riders to obtain a photo ID card at the Transit Center. The Guide to Ride also indicates that free transportation to the Transit Center for this purpose is available on request. The Porterville Transit website notes that eligible applicants will be sent an ID card that is required when using the Dial-A-Ride service.

**Corrective Action and Schedule:** Within 60 days of the issuance of the final report, Porterville Transit must develop template eligibility determination letters as follows:

- Letters conferring unconditional eligibility must include the addition of the phone number of the paratransit coordinator
- Letters for applicants who indicate the use of a PCA on their application must reflect this information

**Advisory Comment:** It is an effective practice to ensure that all eligibility information be consistent regarding the responsibility of certified riders to obtain an ID card and how to do so. If an ID card is not necessary to use Porterville Dial-A-Ride service, Porterville Transit should remove references to ID cards from public information materials.

## Recertification

**Requirement:** Under 49 CFR § 37.125(f), transit agencies are permitted to require paratransit riders to recertify eligibility at reasonable intervals. As stated in Appendix D, a reasonable interval would be between one and three years.

**Discussion:** During this review, deficiencies were found with the manner in which Porterville Transit communicates recertification of eligibility to applicants.

In practice, eligibility for Porterville Dial-A-Ride service for ADA-eligible individuals is permanent, and this policy is stated in some of the eligibility letters reviewed. However, the Guide to Ride states that eligibility is valid for up to three years and describes the recertification process.

**Corrective Action and Schedule:** Within 60 days of the issuance of the final report, Porterville Transit must revise public information materials and eligibility determination letter templates to clarify the recertification process for ADA paratransit eligibility.

## Administrative Appeal Process

**Requirements:** Under 49 CFR § 37.125(g), transit agencies must have a process for administering appeals through which individuals who are denied eligibility can obtain review of

the denial. Transit agencies are permitted to require written notice, within 60 days of its written decision denying or limiting eligibility that the applicant wishes to exercise his or her right to an appeal hearing. Transit agencies cannot require the “filing of a written appeal.”

The appeal process must include an opportunity for the applicant to be heard and to present information and arguments, with appropriate separation of function (i.e., a decision by a person not involved with the initial decision to deny eligibility). Appeal decisions must be provided in writing and explain the reasons for denying the appeal. The appeal hearing must be scheduled within a reasonable amount of time, and if a decision has not been made within 30 days of the completion of the appeal process, the appellant must be provided complementary paratransit service from that time until and unless a decision to deny the appeal is issued, as required.

**Discussion:** During this review, deficiencies found with the process for requesting appeals.

The Guide to Ride provides the following information about appealing eligibility determination decisions:

Individuals who are denied ADA paratransit service can obtain a review of their denial. An appeal must be filed within 60 days from the denial of the application. An individual may submit an appeal to the Porterville Transit ADA Coordinator in writing or by telephone by calling: (559) 782-7448.

If the Porterville Transit ADA Coordinator accepts the appeal and overturns the denial, written notification of approval of Dial-A-Ride eligibility will be sent to the passengers. If the eligibility denial is upheld, the Porterville Transit Coordinator would provide written notification stating that the individual is not eligible to use Dial-A-Ride services and the reason for the denial.

An individual may skip the step above and may request a hearing anytime by calling the Porterville Transit ADA Coordinator directly at: (559) 782-7448.

Hearings are heard by the ADA Eligibility Review Committee. The committee making up the hearing panel is composed of two members from the Disability Advisory Commission (DAC) and one Porterville Transit representative.

The appeal process has two deficiencies. First, individuals involved with the initial determination or their direct supervisor cannot be involved with formal appeals. The appeal policy names the Porterville Transit ADA Coordinator and the Porterville Transit Coordinator as the individual who will make the first determination about an appeal in step one. Since the Porterville Transit administrative assistant makes the initial determination, the transit manager, who is listed as the point of contact for many ADA policies and procedures and who directly supervises the administrative assistant, cannot hear appeals in step one.

Second, all individuals who wish to appeal their denial of eligibility must be presented the opportunity to be heard in person and present additional information. As written, Porterville Transit’s policy includes the option to skip step one and request a hearing but does not provide the opportunity for individuals whose appeal is denied in step one to proceed to step two.

Porterville Transit’s current process for a second appeal could be the basis for a proper appeals process. The second appeal includes the required separation of function and clearly states the appellant may present information to the appeal committee in person.

Since developing this appeal process, Porterville Transit has not made any determinations of ineligibility or conditional eligibility, and therefore has not received any appeals.

**Corrective Action and Schedule:** Within 60 days of the issuance of the final report, Porterville Transit must revise its appeal process to ensure proper separation of function. Porterville Transit must also revise its appeal process so that it explicitly allows an appellant whose appeal is denied in step one of the process to request a hearing as provided for in step two of the process.

### **Complementary Paratransit for Visitors**

**Requirements:** Under 49 CFR § 37.127(d)–(e), complementary paratransit service must be made available to visitors not residing in the jurisdiction(s) served by a transit agency for any combination of 21 days during any 365-day period, beginning with the visitor’s first use of the service during the 365-day period. Transit agencies must treat as eligible all visitors who present information that they are eligible for complementary paratransit service in the jurisdiction in which they reside; for those who do not present such documentation, transit agencies may require documentation of the individual’s place of residence and, if the individual’s disability is not apparent, of his or her disability. In no case may transit agencies require visitors to apply for or receive eligibility certification for their own complementary paratransit service before providing service to eligible visitors.

**Discussion:** During this review, deficiencies were found with the requirement to provide paratransit service to individuals meeting the definition of a visitor.

The Guide to Ride describes Porterville Transit’s policy regarding ADA paratransit service for visitors:

**ADA Certified Eligible Visitors:** Visitors from outside of the Porterville Transit / Dial-A-Ride service area may receive Dial-A-Ride service up to 21 days in a 12-month period. Visitors may be asked to show documentation of their ADA paratransit eligibility from the jurisdiction in which they reside or, if that is not available, documentation of the individual’s place of residence outside of the Dial-A-Ride service area and, if their disability is not apparent, of his or her disability.

The Porterville Transit website states:

Visitors who are eligible for ADA service in other cities and have documentation may use the Dial-A-COLT service during their visit to Porterville. Visitors who do not have documentation of ADA eligibility from another transit agency, but can provide documentation of a disability, may be eligible to use the service for up to twenty-one (21) days.

The policy as stated on the website does not allow individuals without credentials from another ADA paratransit system who have a disability that is apparent to travel with only documentation of place of residence and does not allow for eligibility for up to 21 days within a 365-day period.

**Corrective Action and Schedule:** Within 60 days of issuance of the final report, Porterville Transit must revise the description of its policy regarding ADA paratransit eligibility for visitors to match the policy as stated in the Guide to Ride.

### 6.3 Types of Service

**Requirement:** Under 49 CFR § 37.129(a), transit agencies must provide complementary paratransit service on an origin-to destination-basis. Transit agencies may determine, through their local planning process, whether to establish either door-to-door or curb-to-curb service as the basic mode of complementary paratransit service. Where the local planning process establishes curb-to-curb service as the basic complementary paratransit service mode, however, provision must still be made to ensure that the service available to each passenger actually gets the passenger from his or her point of origin to his or her destination point. To meet this origin-to-destination requirement, service may need to be provided to some individuals, or at some locations, in a way that goes beyond curb-to-curb service.

**Discussion:** During this review, no deficiencies were found with Dial-A-Ride policies and practices to provide complementary paratransit service on an origin-to destination-basis.

According to the Guide to Ride, the base level of Dial-A-Ride service is curb-to-curb. The Guide to Ride states the service “is a shared ride, curb-to-curb service, provided from any origin to any destination within the service area for any trip purpose.” It also states for riders to “advise the reservation agent if you require assistance other than our standard curb-to-curb service.”

In telephone interviews, agency representatives said that drivers provided help when needed. In interviews drivers understood the need to provide passenger assistance as required.

### 6.4 Service Criteria

**Requirement:** As codified in 42 U.S.C. 12143, the ADA directed the Secretary of Transportation to issue regulations that establish minimum service criteria for determining the level of service provided by paratransit as a complement to fixed route service. These criteria are contained in 49 CFR § 37.131 and include service area, response time, fares, and hours and days of service, and prohibit restrictions on trip purpose and capacity constraints that limit the availability of service to eligible individuals. The review team assessed the Porterville Transit complementary paratransit system using these criteria as described in this section.

#### Service Area

**Requirement:** Under 49 CFR § 37.131(a)(1), all public entities operating a fixed route transit system must provide complementary paratransit service that covers, at a minimum, all areas within a 3/4-mile radius of all of its bus routes, and within a “core service area” that includes any small areas that may be more than 3/4 mile from a bus route, but are otherwise surrounded by served corridors. This includes any areas that cross political boundaries or taxing jurisdictions but are within a 3/4-mile radius of a fixed route, unless the transit agency does not have the legal authority to operate in those areas. For transit agencies operating a light rail or rapid rail transit service, the complementary paratransit service area must also include a 3/4-mile radius around each station, with service provided from points within the service area of one station to points within the service area of another.

**Discussion:** During this review, deficiencies were found with service area of Porterville Transit’s Dial-A-Ride paratransit. Service is not offered to all areas within 3/4-mile of its bus routes.

As a policy, Porterville Transit provides paratransit trips within 3/4-mile of its bus routes. Dispatchers (who also serve as the call-takers), however, did not have a current map of the

3/4-mile boundaries of the bus routes. The review team interviewed several dispatchers and found that the dispatchers had different understandings of the boundaries. Consequently, they implemented different boundaries. For example, one dispatcher described the boundaries that he implemented in terms of cardinal directions; he used north, south, east and west boundaries (Alta Vista Street, Teapot Dome Road, Doyle Street, and a canal to the west). Another dispatcher informed the review team that he uses a 1/4-mile radius boundary to determine the eligibility of a caller's requested pickup or drop-off address.

The review team used software to draw 3/4-mile boundaries around the Porterville bus routes. This exercise identified two areas that were within these boundaries, but outside of the most generous boundaries that were used by any dispatcher.

The review team also found that the information provided to the public concerning the boundaries was incomplete. The Guide to Ride states:

The area boundaries are from \_\_\_\_\_ to the north, \_\_\_\_\_ to the south, \_\_\_\_\_ to the east, \_\_\_\_\_ to the west. These boundaries satisfy ADA requirements to provide service a minimum of three quarters of a mile on either side of all routes making up the Porterville Transit fixed-route transit system. [*Blank spaces are in the Guide to Ride*]

**Corrective Actions and Schedule:** Within 60 days of receiving the final report, Porterville Transit must submit documentation that it has amended its paratransit service area to include all areas within 3/4-mile on either side of all fixed routes; that it has made this information available to Dial-A-Ride call-takers, schedulers, and dispatchers when accepting and scheduling trip requests; and that it has been made available to all riders.

## Response Time

**Requirement:** Under 49 CFR § 37.131(b), transit agencies must schedule and provide complementary paratransit service to any ADA paratransit eligible person at any requested time on a particular day in response to a request for service made the previous day, including during times comparable to normal business hours on a day when the offices are not open before a service day. Reservations may be taken by reservation agents or by mechanical means. Under 49 CFR § 37.131(b)(2), while transit agencies may negotiate the pickup time with a caller prior to a trip being scheduled, they cannot require a rider to schedule trips to begin more than one hour before or after the rider's desired departure time. Any greater deviation would exceed the bounds of comparability. Negotiations should take into account riders' practical constraints. Transit agencies must have policies and procedures in place to ensure that schedulers and dispatchers do not adjust a rider's negotiated pickup time or pickup window without the rider's consent.

Under 49 CFR § 37.131(b)(4), if transit agencies propose to change their reservations system, they must comply with the public participation requirements equivalent to those of § 37.137 (b)–(c). Transit agencies may permit reservations to be made up to 14 days in advance of an eligible individual's desired trips, subject to the same trip negotiation requirements as next-day trips required under § 37.131(b)(2).

**Discussion:** During this review, a deficiency was found with Porterville Transit's not accepting reservations on Sundays and holidays for next-day trips. No deficiencies were found with how Porterville Transit negotiates with callers on requested pickup times.

Upon reviewing completed driver manifests and other Dial-A-Ride documentation, review team members determined that the call-takers are not in the practice of recording requested pickup times. Instead, they recorded and input only the final negotiated times into the paratransit software.

The review team spent two mornings observing the dispatchers taking calls and negotiating reservations times. They observed reservations for a total of 22 trips. They also observed:

- Confirmations of same-day and future trips
- Requests for changing pickup time
- Requests for an extra stop (call-taker explained that this was not allowed)
- Questions concerning fixed route service

During these two mornings, the team members observed that callers received their requested pickup time or a time that was within the allowed hour negotiating window.

Porterville Transit managers stated that the office is closed on certain holidays when transit service does operate. The review team analyzed voicemail system data to discern whether callers were able to make reservations on these days for next-day service. The review team observed that on Labor Day 2019, the phone system recorded receiving 110 calls. None of these calls were handled by voicemail. While the review team cannot determine whether any of these 110 calls were next-day paratransit requests, there was no system in place for processing paratransit calls if there had been any. According to 49 CFR § 37.131(b), transit agencies must schedule and provide complementary paratransit service to any ADA paratransit eligible person at any requested time on a particular day in response to a request for service made the previous day, including during times comparable to normal business hours on a day when the offices are not open before a service day. Porterville Transit does not have a process in place to accept and schedule such requests on days in which the office is closed.

**Corrective Actions and Schedule:** Within 60 days of receiving the final report, Porterville Transit must demonstrate that it is accepting and scheduling next-day trip requests on any day prior to a service day when offices are otherwise closed.

## Fares

**Requirement:** Under 49 CFR § 37.131(c), complementary paratransit fares must be no more than twice the fixed route fares for the same trip at the same time of day on the fixed route system, excluding discounts. Transit agencies must allow eligible riders to travel with at least one companion (with additional companions accommodated on a space-available basis). If personal care attendants (PCAs) accompany riders, transit agencies must provide service to one companion in addition to the PCA. Companions may be charged the same fare as the eligible rider; no fare may be charged for a PCA.

**Discussion:** During this review, one deficiency was found with Porterville Transit's complementary paratransit fare policy. Paratransit riders are charged a fare for trips within the corridor of a fixed route for which fares are paid through an agreement that Porterville Transit has with an Indian tribe to subsidize those fares.

Porterville Transit's base fare for all bus routes is \$1.50 for a single trip, and \$3.00 for a single-day pass. Porterville Transit charges \$2.50 per trip for its ADA paratransit service. Riders are



permitted one personal care attendant to accompany them, free of charge. Each guest is charged \$2.50 per ride.

There is one exception to the fixed route fares: riders do not pay a fare on Route 9, which runs between the Downtown Transit Center and the Eagle Mountain Casino. The City of Porterville has an agreement with the Tule River Indian Tribe, in which the Tribe subsidizes a portion of the Route 9 operating costs. The agreement (signed November 1, 2012) states “the City shall provide transit and paratransit service to Tribe residents desiring transit service within the Tule River Indian Reservation area...” The agreement also states, “the City will provide free transit and paratransit service to the Tribe, general public, and Eagle Mountain Casino employees.”

According to the transit manager, the agency’s policy is that paratransit riders whose trip begins and ends with 3/4-mile of Route 9 also do not pay a fare. However, the review team interviewed several Porterville Transit dispatchers and drivers; none of them were aware of paratransit trips for which the rider did not have to pay a fare. They indicated that riders would have to pay the regular \$2.50 paratransit fare for a trip within the 3/4-mile corridor of Route 9.

**Corrective Actions and Schedule:** Within 60 days of receiving the final report, Porterville Transit must demonstrate that fares are not charged for paratransit trips comparable to trips made using Route 9. Porterville Transit may elect not to charge a fare for trips taken between points within 3/4-mile of Route 9; alternatively, Porterville Transit could elect to establish a zone of fare comparability surrounding Route 9, where no fare would be charged, based on the trip-making characteristics of Route 9 riders.

### No Trip Purpose Restrictions

**Requirement:** Under 49 CFR § 37.131(d), there can be no restrictions or priorities based on trip purpose. When a user reserves a trip, the entity will need to know the origin, destination, time of travel, and how many people are traveling. The entity does not need to know why the person is traveling and should not even ask.

**Discussion:** During this review, no deficiencies were found with this requirement. The Guide to Ride states Porterville’s paratransit service “is a shared ride, curb-to-curb service, provided from any origin to any destination within the service area for any trip purpose.” The review team observed reservationists discussing trip purpose with the callers, but the reservationists did not record this information in the paratransit software. Trip purpose played no role in accepting or scheduling trips. In addition, the dispatchers stated they do not review trip purpose information, compile it, or report it.

### Hours and Days of Service

**Requirement:** Section 37.131(e) of the DOT ADA regulations requires that the complementary paratransit service be available during the same hours and days as the fixed route service. This means that if a trip can be taken between two points on a transit agency’s fixed route system at a specific time of day, it must also be able to be taken on complementary paratransit. It also means that the service area may change depending upon the time of day or day of the week, when certain routes or areas may not be served. This requirement applies on a route-by-route basis. For example, an area that has fixed route bus service on weekdays but not weekends must have complementary paratransit service (provide trips) on weekdays but not necessarily on weekends; an area that has bus service from 5 a.m. until 9 p.m. must have complementary paratransit service, at minimum, from 5 a.m. until 9 p.m.

**Discussion:** During this review, deficiencies were found with the Dial-A-Ride hours and days of Service. The fixed route system begins operation at 6 a.m. and ends service after 10:30 p.m. (the latest listed timepoint is on Route 9, at 10:49 p.m.) on weekdays. On weekends, fixed route service operates starts 8 a.m., with the last timepoint on Route 9 at 10:49 p.m. The review team checked the website, the Guide to Ride, and information provided to the review team prior to the site visit for the paratransit hours of service. These three sources listed inconsistent hours:

- The Guide to Ride has the following hours: weekdays, 6 a.m.–10:30 p.m.; Saturday, 8 a.m.–10:30 p.m.; Sunday, 8 a.m.–6 p.m.
- Information provided prior to the site visit cites the following hours: 6 a.m.–10 p.m.

The review team asked dispatchers what hours they schedule trips. One dispatcher said that he schedules trips between 6:15 a.m. and 9:30 p.m. Another dispatcher said that he schedules trips between 7 a.m. and 9:30 p.m.

**Corrective Actions and Schedule:** Within 60 days of receiving the final report, Porterville Transit must demonstrate that paratransit riders may request and schedule trips that take place during all days and hours when fixed route bus service operates. Porterville Transit must also demonstrate that it has revised its public information to inform riders of the days and hours of paratransit service.

### Absence of Capacity Constraints

**Requirement:** Under 49 CFR § 37.131(f), transit agencies may not limit the availability of complementary paratransit service to ADA paratransit eligible individuals by any of the following: restrictions on the number of trips an individual will be provided; waiting lists for access to the service; or any operational pattern or practice that significantly limits the availability of service to ADA paratransit eligible persons. Such patterns or practices include but are not limited to: substantial numbers of significantly untimely pickups for initial or return trips, substantial numbers of trip denials or missed trips, or substantial numbers of trips with excessive trip lengths.

#### No restrictions on the number of trips

**Requirement:** Under 49 CFR § 37.131(f)(1), transit agencies may not impose restrictions on the number of trips provided to ADA paratransit eligible riders.

**Discussion:** During this review no deficiencies were found with this requirement. Porterville Transit does not limit the number of trips eligible riders may request and receive.

#### No waiting list for access to the service

**Requirement:** Under 49 CFR § 37.131(f)(2), transit agencies are prohibited from establishing policies or engaging in practices or procedures that establish waiting list(s) for accessing the service.<sup>1</sup>

**Discussion:** During this review, no deficiencies were found with the requirement to establish waiting lists for Dial-A-Ride trips for ADA-certified riders. Porterville Transit appears to have sufficient capacity to serve all requested paratransit trips. During interviews prior to the site visit,

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<sup>1</sup> Under § 37.133(c), waiting lists may only be established for participation in subscription service that may be offered as part of the transit agency's complementary paratransit system.



no rider or individual who worked with riders noted any waiting lists. Review team members saw no evidence of wait lists when observing the Porterville dispatchers accept trip requests.

### **No substantial Numbers of significantly untimely pickups**

**Requirement:** Under 49 CFR § 37.131(f)(3)(i)(a), transit agencies must provide complementary paratransit service without any substantial numbers of significantly untimely pickups for initial or return trips.

**Discussion:** During this review, deficiencies were found with the requirement that complementary paratransit service be provided without a substantial number of untimely pickups. No deficiencies were found with Porterville Transit’s performance standards.

According to information provided to the review time prior to the site visit, “Porterville Transit defines an on-time trip as one that takes place within 15 minutes before or after the scheduled time (-15/+15), and requires contractors to be on time at least 95 percent of the time.”

Material provided to the review team prior to the site visit stated, “On a monthly basis, Porterville Transit will use paratransit software data to calculate on time performance of all trips.” Neither Porterville Transit managers nor City officials expressed any concerns with on-time pickup performance

Porterville Transit provided the review team with a data sample that included all completed trips from the month of September 2019. As shown in Table 6.1, of the 855 trips performed, 86.8 percent of the trips were early or on-time: 74.7 percent within the pickup window of -15/+15 minutes, and 12 percent earlier. This yields 13.2 percent of the trips with late pickups. Of these late pickups, 5 percent were more than 15 minutes late.

**Table 6.1 – On-Time Pickup Performance for Dial-A-Ride Trips: September 2019**

<b>Trips</b>	<b>Number</b>	<b>Percent</b>
ALL Trips	855	100%
Early	103	12.0%
In window (-15/+15)	639	74.7%
<b>Early or in Window</b>	<b>742</b>	<b>86.8%</b>
All late	113	13.2%
1–15 minutes late	70	8.2%
16–30 minutes late	32	3.7%
>30 minutes late	11	1.3%

This pickup performance does not meet Porterville Transit’s own standard, and is surprisingly low, given the operating environment of generally light traffic and lack of weather issues.

**Corrective Actions and Schedule:** Within 60 days of receiving the final report, Porterville Transit must submit a review of its operations indicating the causes of its low on-time pickup performance, along with an improvement plan (with milestones) demonstrating how it intends to address on-time pickup performance.

### **No substantial numbers of trip denials or missed trips**

**Requirements:** Under 49 CFR § 37.131(f)(3)(i)(b), transit agencies must provide complementary paratransit service without substantial numbers of trip denials or transit agency missed trips. A denial occurs whenever a transit agency is unable to provide a trip on a next-day basis as requested by an eligible passenger between points within the complementary paratransit

service area, at a time when the fixed route system is operating, subject to the limitations on trip time negotiation. Under 49 CFR § 37.131(b), transit agencies may negotiate pickup times with a passenger, but cannot require the passenger to schedule a trip to begin more than one hour before or after his or her desired departure time. If the trip cannot be arranged within this timeframe, a denial has occurred whether or not the passenger accepts a departure time of more than one hour earlier or later. In addition, when a denied trip makes a subsequent requested trip impossible, as could occur in the case of an individual taking a round trip to and from a specific location, two trips have been denied.

**Discussion:** During this review, deficiencies were found with Porterville Transit’s definition of a missed trip. Deficiencies were also found with Porterville Transit’s miscoding of carrier missed trips as passenger no-shows. No deficiencies were found with Porterville Transit’s definition of a denial. No deficiencies were found with the requirements that ADA paratransit service be provided without substantial numbers of trip denials or missed trips.

In material sent to the review team prior to the site visit, Porterville Transit stated that its policy is “to have zero denial and contractors shall report any trips when they do not offer a new time to the rider within the usable hour.”

In FY 2018, Porterville Transit recorded 17 denials. Since then it has recorded two denials.

The review team did not observe Porterville Transit dispatchers explicitly deny any trips. In telephone interviews prior to the site visit, riders and individuals who work with riders did not cite any trip denials. However, as noted previously in “Response Time,” the review team observed a dispatcher offer a pickup time greater than 60 minutes from the requested time.

In material sent to the review team prior to the site visit, Porterville Transit provided its definition of a missed trip:

A scheduled trip in which:

1. The contractor does not pick up the rider, excepting rider cancellations or no-show
2. The pickup occurs more than 60 minutes after the scheduled pick up time
3. The contractor arrives beyond the pickup window and no pickup takes place

This definition is not complete. FTA also considers a missed trip when there is no pickup and either:

- The vehicle arrives and leaves before the beginning of the window
- The vehicle does not wait at least five minutes within the window

Porterville Transit recorded 59 no-shows during September 2019. Of these, it appears that 15 were incorrectly coded and were actually missed trips:

- 11 had data indicating the vehicle arrived after the pickup window
- Four listed a no-show reason of “no answer,” but vehicle waited less than five minutes before leaving

Based on this month’s sample, a quarter of no-shows were improperly coded and were actually carrier missed trips. These 15 missed trips comprise 1.6 percent of all scheduled trips. This can be a crucial mistake if Porterville Transit chooses to suspend riders for excessive no-shows.

**Corrective Actions and Schedule:** Within 60 days of receiving the final report, Porterville Transit must submit a revised definition of a missed trip to include:

- When no pickup occurs and the vehicle arrives and leaves before the beginning of the window
- When no pickup occurs and the vehicle does not wait at least five minutes within the window

Porterville Transit must also demonstrate that it is properly counting no-shows and missed trips, and demonstrate how it will ensure that any coded no-shows are not actually missed trips prior to issuing a suspension.

### **No substantial numbers of trips with excessive trip lengths**

**Requirement:** Under 49 CFR § 37.131(f)(3)(i)(c), transit agencies must provide complementary paratransit service without substantial numbers of trips with excessive trip lengths.

Comparability is based on the length of time required to make a similar trip between the same two points using the fixed route system, including time spent traveling to and from a boarding point and waiting for the fixed route vehicle to arrive. FTA recommends basing complementary paratransit travel time on the comparable fixed route travel time, plus 20–30 minutes to allow for a reasonable estimate of time spent walking to and from a bus stop, waiting for the bus to arrive, and making any necessary transfers from one vehicle to another.

**Discussion:** During this review, no deficiencies were found with the number of trips with excessive trip lengths or with Porterville Transit's long-trip standard. An advisory comment is made about the City's monitoring of trip lengths.

In material sent to the review team prior to the site visit, Porterville Transit stated:

Porterville Transit bases complementary paratransit travel time on the comparable fixed route travel time, plus 20 minutes to allow for a reasonable time spent walking to and from a bus stop, waiting for the bus to arrive, and making any necessary transfers from one vehicle to another...

Contractors shall use Google Trip Planner to determine if their travel times are equal to or less than the fixed route time. This standard shall not apply when verifiable circumstances exist beyond the contractor's control.

Each month Porterville Transit shall compare paratransit and fixed route travel times by selecting a sample of 20 trips. Those 20 trips will be compared from the prior month.

Each month, Porterville Transit provides the City with a list of trips that are longer than 30 minutes. However, it does not provide an analysis based on the standard described above.

Based on the sample of September 2019 completed trips, the average (mean) trip length was 13 minutes and the median trip length was 11 minutes. Only 2.2 percent (19) of all trips were longer than 30 minutes.

The review team analyzed a sample consisting of the nine longest trips for September 2019: eight of the trips were 30–37 minutes; one was 209 minutes. The analysis compared the paratransit travel times with comparable fixed route bus trips at the same time of day based on information Google's transit planner. Eight of the nine paratransit trips (89 percent), those with trip lengths of 30–37 minutes, were shorter than the comparable fixed route itineraries. The remaining paratransit trip (11 percent) had a longer travel time, by a factor of more than four.

The review team discussed the details of that trip with the director of technology. A review of the Routematch records for that trip indicated that the driver was a newer member of the staff, who may have inadvertently failed to note the drop-off time using the onboard tablet. The other possible explanation for this unlikely trip length is a technical error in data transmission.

In addition to prohibiting a substantial number of excessively long trips, the DOT ADA regulations prohibit a pattern of excessively long trips. The review team also looked at the origins and destinations of the nine longest trips. All nine of the long trips had an origin or destination of Porterville Senior Day Care or Propak Logistics; eight of the nine trips were for the same two riders.

**Advisory Comments:** It is an effective practice for Porterville Transit to conduct trip length analysis of Dial-A-Ride trips, as set forth in its stated procedures. In addition, it is an effective practice for the City to review trip lengths and conduct periodic independent analysis of Dial-A-Ride trip lengths, including a review of common origins, destinations, and riders for the longest trips.

### No operational patterns or practices limiting the availability of service

#### Telephone Hold Times

**Requirement:** Under 49 CFR § 37.131(f), transit agencies may not limit the availability of complementary paratransit service to ADA paratransit eligible individuals by any operational patterns or practices that significantly limit availability of service to ADA paratransit eligible people. Examples of such operational patterns or practices include insufficient capacity to take reservations, long telephone hold times, and untimely drop-offs for appointments that may limit the availability of ADA paratransit service.

**Discussion:** During this review, no deficiencies were found with Porterville Transit's telephone performance. Advisory comments are offered regarding monitoring of telephone system performance.

Dial-A-Ride customers call 559-791-7800 and choose Option 1 from an automated menu to connect to schedulers/dispatchers at the Downtown Transit Center for trip reservations and "where's my ride" calls. Porterville Transit's standards for telephone system performance are:

- Calls answered in three rings or less
- 75 percent of calls on hold for less than 75 seconds
- 95 percent of calls on hold for less than 90 seconds
- Maximum hold time 90 seconds

The review team analyzed data provided by the City of Porterville, which manages the telephone system used by Porterville Transit, for the Transit Center Dial-A-Ride workgroup (i.e., Option 1) for September 2019. Data indicated that 83 percent of calls were handled by an agent and 17 percent were abandoned. Of calls that were handled by an agent, 81 percent over the month were answered in 29 seconds or less, indicating compliance with the standard of 75 percent of calls answered in less than 75 seconds. The remaining 19 percent of calls were answered in 30 seconds or more. During the review team's observations of the scheduling and dispatch function, calls to the Dial-A-Ride extension were handled promptly by dispatchers. During times of higher call volumes, Porterville Transit has procedures in place for route supervisors at the Transit Center to assist with answering calls.

**Advisory Comments:** When using specific standards for telephone hold time performance, an effective practice is to produce reports that provide the necessary information for these standards. For instance, to determine compliance with Porterville Transit’s performance standards, the telephone system should track the number and percent of calls that are answered in 75 seconds or less and 95 seconds or less. It is also an effective practice to track maximum hold. Ideally, telephone system reports would be generated by hour of the day so that specific time periods when standards are not being met, if any, can be identified.

### Untimely Drop-offs for Appointments

**Requirement:** Under 49 CFR § 37.131(f), transit agencies may not limit the availability of complementary paratransit service to ADA paratransit eligible individuals by any operational patterns or practices that significantly limit availability of service to ADA paratransit eligible people. Examples of such operational patterns or practices include insufficient capacity to take reservations, long telephone hold times, and untimely drop-offs for appointments.

**Discussion:** During this review, no deficiencies were found with this requirement. An advisory comment is made regarding tracking trips with known appointment times.

According to material provided to the review time prior to the site visit:

... dropping off a rider on-time for their appointment shall be defined as dropping the rider off at their destination on or before the recorded appointment time. Porterville Transit’s standard requires contractors to achieve on-time performance equaling or exceeding 95 percent of the drop-off appointment times. Drop-off times shall not exceed 30 minutes prior to appointment times.

On a monthly basis, Porterville Transit will use paratransit software data to calculate on time performance of all drop-off appointment times.

While Dial-A-Ride riders may provide either a pickup or drop-off (appointment) time when requesting a trip, it was surprising to find a very small portion of trips with a requested drop-off time (based on the coding in the trip data) in the review team’s sample: 1.9 percent (16 of 855) of completed trips in September 2019. This is a small sample that may not be representative of drop-off performance. It is likely that there were many more trips for which the caller requested a drop-off time. For comparison, in the review team’s observations of trip requests during the site visit, eight of the 22 trips had requested drop-off times.

As shown in Table 6.2, two drop-offs (12.5 percent) were late. Three drop-offs (18.8 percent) were more than 30 minutes early.

**Table 6.2 – On-Time Drop-off Performance for Dial-A-Ride Trips: September 2019**

Trips	Number	Percent
ALL Trips with requested drop-off time	16	100%
0-15 minutes early	6	37.5%
16-30 minutes early	5	31.3%
> 30 minutes early	3	18.8%
All late	2	12.5%
1–15 minutes late	1	6.3%
16–30 minutes late	1	6.3%
>30 minutes late	0	0

**Advisory Comment:** It is an effective practice for Porterville Transit to record appointment times when riders provide this information during the reservations call. That way, trips can be scheduled to ensure that riders arrive on time; dispatchers and drivers can have this information; and managers can properly monitor on-time performance to ensure riders arrive on time for trips with appointment times.

## 6.5 Subscription Service

**Requirement:** Under 49 CFR § 37.133, transit agencies are permitted (but not required) to provide subscription service (pre-arranged trips at a particular time not requiring individual trip reservations for each trip). If provided, however, subscription service may not comprise more than 50 percent of the available trips at any given time unless the system is experiencing no capacity constraints.

**Discussion:** During this review, no deficiencies were found with the requirements concerning the provision of subscription trips as part of the ADA paratransit program or with how the transit agency communicates this requirement to eligible riders and potential users of the service.

Porterville Transit does not provide subscription service. It had offered subscription service until September 2019, but has since required riders to call in all trip requests (up to two weeks ahead).

The Guide to Ride has not been updated to reflect this change in policy. It states:

Subscription service is when a paratransit-eligible person arranges a standing appointment for a ride, such as an 8:00 a.m. Monday through Friday departure for work and subsequent 5:00 p.m. return trip. You can also schedule a weekly trip like going to church. A reservation is not required

**Advisory Comment:** It is an effective practice for Porterville Transit to update the correct language in its Guide to Ride to tell paratransit riders that it no longer offers subscription service.

## 6.6 Reasonable No-Show Policies and the Right to Appeal

**Requirements:** Section 37.125(h) of the DOT ADA regulations states that transit agencies “may establish an administrative process to suspend, for a reasonable period of time, the provision of complementary paratransit service to ADA eligible individuals who establish a pattern or practice of missing scheduled trips.” FTA has permitted transit agencies to regard late cancellations as no-shows if and only if they have the same operational effect on the system as a no-show, generally within less than 1–2 hours of the scheduled trip time. If riders do not show up for the outgoing portions of round trips, transit agencies cannot automatically assume that the return trip is not needed.

Under 49 CFR § 37.125(h)(1), trips missed by riders for reasons beyond their control, including trips missed due to operator or transit agency error, must not form a transit agency’s basis for determining that such a pattern or practice exists. The transit agency’s policies must therefore distinguish between no-shows that are within the rider’s control and those that are not and propose sanctions only on the basis of the former. In order to establish whether a rider has engaged in a pattern or practice of missing scheduled trips, the transit agency must also account for a passenger’s frequency of use. The appeal process required under § 37.125(g) must be available to an individual on whom sanctions have been imposed, and the sanction must be stayed pending the outcome of the appeal.

**Discussion:** During this review, deficiencies were found with Porterville Transit's process for appealing proposed suspensions of service. No deficiencies were found with the requirements concerning the Porterville Transit's no-show and late cancellation policies, the reasonableness of proposed suspension periods. An advisory comment is offered regarding communication of these requirements to eligible riders and potential users of the service.

Materials provided by Porterville Transit prior to the site visit define a rider no-show as a no-show, cancel at door, or late cancel. Information on no-show suspensions, however, is not included in the Guide to Ride or the Porterville Transit website.

Riders may be suspended from Porterville Transit's paratransit service when, in a single month:

- No shows/late cancellations represent 10 percent or more of the rider's scheduled trips, and
- The rider has three or more no shows

Consequences for a pattern and practice of no shows include:

- First Violation – Warning letter advising the rider that he/she has violated Porterville Transit's no-show/late cancellation policy
- Second Violation within a 30-day period – Second warning letter
- Third Violation within a 30-day period – Rider receives a 7-day suspension
- Fourth Violation within a 30-day period – Rider receives a 14-day suspension
- Fifth and subsequent violations – Rider receives a 30-day suspension

The written policy states that Porterville Transit will verify each recorded no-show, late cancellation, and door cancellation before sending any letter or taking any subsequent action. Porterville Transit will inform the rider of a potential service suspension (stages 3, 4, or 5). A rider may appeal any potential suspension. The rider can request details on individual recorded no-shows, late cancellations, and cancels at the door.

The no-show policy does not describe the appeal process available to riders who face a suspension of service. The appeal process required by 49 CFR § 37.125(g) and (h) must include the opportunity to appeal in person, a written determination of the outcome of the appeal, and continuation of service unless and until the appeal is denied.

Since it revised its no-show suspension policies in 2019, Porterville Transit has not enforced the policies and has not suspended any riders for excessive no-shows.

**Corrective Action and Schedule:** Within 60 days of the issuance of the final report, Porterville Transit must clarify its no-show appeal process so riders facing possible suspensions for establishing a pattern or practice of no-shows are provided the opportunity to appeal in person, receive a written determination regarding the outcome of the appeal, and continue to receive service pending the issuance of that written determination.

**Advisory Comment:** It is an effective practice to inform riders of the no-show policy should Porterville Transit decide to implement it. Information could be added to the Porterville Transit website and the Guide to Ride.



## 6.7 Complaint Resolution

**Requirements:** Under 49 CFR §§ 27.13(a) and 37.17(a), the transit agency must designate at least one person to coordinate its efforts to comply with the nondiscrimination requirements contained in DOT ADA regulations.

Under 49 CFR §§ 27.13(b) and 37.17(b), the agency must adopt procedures that incorporate appropriate due process standards and provide for the prompt and equitable resolution of complaints. This includes sufficiently advertising to the public the process for filing a complaint. Public advertising will typically include the agency's website. The complaint procedures must be accessible to and usable by individuals with disabilities. Finally, the agency must promptly communicate its response to the complaint allegations, including its reasons for the response, to the complainant by a means that will result in documentation of the response.

Under 49 CFR § 27.121(b), the agency must keep all complaints of noncompliance on file for one year and a record of all such complaints (which may be in summary form) for five years. Establishing these policies and procedures is the responsibility of the transit agency, not its contractors.

**Discussion:** During this review, deficiencies were found with Porterville Transit's complaint response procedures. The individual designated as the coordinator for complaint resolution has not been involved with Porterville Transit's complaint response process, and Porterville Transit has not kept a record of the past five years' complaints.

The review team interviewed Porterville Transit and City officials about their complaint process. Porterville Transit has designated one person to coordinate its complaint process. This coordinator is a City of Porterville employee who also handles financial issues related to Porterville Transit. The coordinator is responsible for reviewing complaints and ensuring that Porterville Transit responds to the complaints in a timely and appropriate fashion. The coordinator is also listed in the Guide to Ride as the responsible party for "assistance to file an inquiry, complaint or compliment." The review team found that in practice, the City performs little review or oversight of Porterville Transit's complaint process. The coordinator indicated no involvement in any complaint processing, resolution, or follow-up for a Dial-A-Ride complaint.

Furthermore, based on team member discussions with the complaint coordinator, this person does not appear to have a sufficient understanding of the regulations to adequately enforce procedures. While Porterville Transit meets the requirement to designate one person to coordinate the complaint process, the person who holds this role does not, in practice, participate in the complaint process.

The team also determined that neither the contractor nor the City of Porterville keeps records of complaints for the required five-year period. The records of complaints that the City did keep indicated to the review team that the complaints were managed with inconsistent procedures for complaint resolution.

The Porterville Transit website has an online form for the public to submit complaints. It is easy to locate on the website, and it includes a check box to denote if the complaint is ADA related. Porterville Transit provided a printed report of all 17 transit-related complaints, which dated back to 2017. None of the complaints was related to the paratransit service. Porterville Transit had no records of complaints that preceded 2017.



There is also a paper complaint form available at the Porterville Transit Center. Porterville Transit's director of operations provided a review team member a set of 21 handwritten complaints. These complaints had been kept in the Porterville Transit Center office but had not been entered into the system ("myPorterville"). The compliant coordinator had not reviewed these handwritten complaints. This practice is not consistent with Porterville Transit's stated procedure for complaint resolution.

**Corrective Actions and Schedule:** Within 60 days of receiving the final report, the City of Porterville must submit to FTA a procedure under which it will assume an active role in its process for accepting and resolving ADA-related complaints concerning Porterville Transit. Porterville Transit must also demonstrate how it will ensure that all ADA-related complaints are kept on file for one year, and a record of all such complaints (which may be in summary form) for five years.

## 6.8 Nondiscrimination

**Requirement:** Under 49 CFR § 37.5, transit agencies are prohibited from discriminating against an individual with a disability in connection with the provision of transportation service, or deny any individual with a disability the opportunity to use the transportation services it provides to the general public. Discriminatory practices include and are not limited to requiring the use of alternate transportation services, requiring persons with disabilities to be accompanied by an attendant, imposing user fees or special charges upon people with disabilities and requiring people with disabilities to use designated priority seating.

**Discussion:** During this review, deficiencies were found with Porterville Transit's non-discrimination practices. Porterville Transit did not apply certain policies consistently between fixed route and paratransit service. Here are three instances in which the agency has a stricter set of standards for its paratransit riders than for its fixed route riders.

- Porterville Transit Dial-A-Ride's website states, "Eating and drinking are prohibited in all Dial-A-COLT vehicles" ("Dial- A-COLT" was the previous branding for Dial-A-Ride). For the fixed route service, the website states, "Eating and smoking are not allowed on buses. You may consume beverages if the beverage is contained in a spill-proof or screw-top container or bottle. Please help us keep your public transit system clean for everyone." There is no comparable prohibition for the fixed route riders
- Porterville Transit Dial-A-Ride's website states, "Violent, disruptive or illegal behavior will not be tolerated. Passengers who are physically or verbally abusive to drivers or other passengers, or are otherwise disruptive, will be subject to disciplinary actions which may lead to suspension of service. If necessary, Porterville Transit staff will contact the appropriate law enforcement authorities to have a disruptive individual removed from the vehicle." There is no comparable rule for the fixed route riders
- Porterville Transit Dial-A-Ride's website states, "All passengers are required to wear seatbelts including shoulder belts for wheelchair clients." There is no corresponding requirement for the fixed route system

According to the transit director, there was no intent for different rules on paratransit and fixed route. It is likely the rules had been written at different times and had not been compared side-to-side to ensure consistency.

No deficiencies were found with Porterville Transit's procedures for service suspensions due to rider conduct. No deficiencies were found with Porterville Transit's public information or with policies related to alternate transportation services, requiring persons with disabilities to be accompanied by an attendant, imposing user fees or special charges upon people with disabilities, or requiring people with disabilities to use designated priority seating.

**Corrective Actions and Schedule:** Within 60 days of receiving the final report, Porterville Transit must submit revised policies for: eating and drinking on vehicles; violent, disruptive, and illegal behavior; and use of seatbelts to ensure consistency between paratransit service and fixed route service. Note that reasonable modifications to these policies may be required under certain conditions (e.g., a passenger with diabetes experiences a low-blood-sugar incidence and must consume food or beverage to prevent loss of consciousness, seat belt use is contraindicated by the rider's disability).

## 6.9 Training Requirements

**Requirement:** Under 49 CFR § 37.173, each public or private entity which operates a fixed route or demand responsive system 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.

**Discussion:** During this review, deficiencies were found with the requirement to train personnel to proficiency as appropriate to their duties. Contractor staff who make eligibility determinations need further training. Contractor and City staff who handle complaints need further training. Drivers need further training. Advisory comments are made regarding the policy for periodic re-training and the certain operating policies.

As discussed in "6.2 Paratransit Eligibility Process," Porterville Transit's eligibility determinations are primarily handled by an administrative assistant who has not received any training in this process, nor does this assistant have someone else within the contractor's staff or the City to consult concerning the evaluation of applications. Porterville Transit has, in practice, chosen to provide unconditional eligibility to all applicants for ADA complementary paratransit.

As discussed in "6.7 Complaint Resolution and Compliance Information," the City employee who is designated as the complaint coordinator does not appear to have a sufficient understanding of the regulations to adequately enforce the regulatory procedures.

The review team also observed that drivers had a varying understanding of several Dial-A-Ride policies. None of the drivers seemed to have a complete and accurate understanding of the pickup policy. When asked about this policy, some drivers instead cited the policy to wait five minutes for the rider at the pickup address. When asked what it meant to be on-time or late, the drivers mostly deflected answering with a specific or measurable answer. A representative answer given by one driver was that he "always tries and be early or on-time."

Drivers appeared to understand the requirements for origin-to-destination service. All said that they provide assistance to riders, as needed. Telephone interviews prior to the site visit confirmed that the drivers treated the riders respectfully and knew the service area.

Porterville Transit has a "New Operator Overview"—developed and used by Sierra Management—that outlines the procedures for training and retraining of its drivers, operators,

reservationists, and janitorial staff. The review team found that there are discrepancies between the written training guidelines and the actual training that drivers received. For example, the “New Operator Overview” states that “all employees will be retrained periodically on safety rules, policies and procedures, and when changes are made to the workplace safety manual. Individual employees will be retrained after to the occurrence of a work-related injury caused by an unsafe act or work practice, and when a supervisor observes employees displaying unsafe acts, practices, or behaviors.” It also stipulates that drivers will receive eight hours of retraining every two years. The review team interviewed five drivers and found that none of the drivers could recall receiving any supplementary training after their initial training.

**Corrective Action and Schedule:** Within 60 days of receiving the final report, Porterville Transit must ensure that individuals with the responsibility of evaluating applications for ADA complementary paratransit service understand the criteria as well as the other regulatory requirements for an eligibility determination process. Porterville Transit must document the training provided to these individuals.

Porterville Transit must also ensure that the individual responsible for coordinating its complaint process understand the regulatory requirements. Porterville Transit must document the training provided to this individual.

Porterville Transit must also ensure that its drivers understand and carry out the proper procedures for its pickup window. Porterville Transit must document the training provided to its drivers.

**Advisory Comment:** It is an effective practice for Porterville Transit to conduct periodic retraining for its drivers and other staff.

## 6.10 Service Under Contract with a Private Entity

**Requirement:** Under 49 CFR § 37.23, transit agencies must ensure that any private entity with which it has entered into a contract or other arrangement to provide complementary paratransit service meets all the obligations of the DOT ADA regulations, including those for service provision and vehicle acquisition, that the transit agency would be required to meet, if it provided the service directly.

Transit agencies must have policies and procedures in place to monitor contractors’ performance and ensure that contractors meet the requirements. Transit agencies are not permitted to neglect monitoring or to limit their monitoring to the terms and conditions of contract or other arrangements with the private entity or entities.

**Discussion:** During this review, deficiencies were found this requirement. The City of Porterville, as the public entity that operates fixed route service, is responsible for ensuring that its contractor is providing complementary paratransit service that complies with the DOT ADA regulations. The City has delegated its paratransit activities to Sierra Management, but the City’s monitoring of service quality has been inconsistent and incomplete.

The City of Porterville assigns one individual to oversee all transit activities, both fixed route and Dial-A-Ride. This individual is officially assigned to 0.75 FTE for transit activities (based on the City’s budget) and 0.25 FTE other responsibilities—though this individual stated that other responsibilities occupy much more than a quarter of their time.

On a monthly basis, Sierra Management provides the City with the following reports:

- On-time pickup performance by day: all Dial-A-Ride trips
- On-time pickup performance by day: trips by ADA certified riders
- All long trips: greater than 30 minutes
- All no-shows
- Subscription trips: number and percent by service hour (report not provided after September 2019)

Sierra Management also generates a report that provides information on incoming telephone calls, but this report does not coincide with Porterville Transit's performance standards. Also, there is no analysis of paratransit trip lengths relative to Porterville Transit's performance standard.

Sierra Management does not provide information for:

- Eligibility applications received and processed; eligibility determinations
- On-time drop-off performance
- Trip denials
- Missed trips
- Complaints

A weakness about certain performance standards (on-time pickups, long trips, telephone performance) is that the contractor developed the standards and the City accepted them without discussion. Furthermore, there are no standards for on-time drop-offs or complaints.

As discussed in Section 6.7 ("Complaint Resolution and Compliance Information"), the City also has not been involved in compiling or resolving complaints related to Dial-A-Ride service.

As presented in earlier sections that discuss the eligibility process (Section 6.2), service criteria (Section 6.4), and various capacity constraints (also Section 6.4), there are non-compliant aspects of Porterville Transit's paratransit service that the City should have been aware of, but has not been actively monitoring.

**Corrective Actions and Schedule:** Within 60 days of receiving the final report, the City of Porterville must submit to FTA a plan to ensure effective oversight and monitoring of paratransit service provided under contract by Sierra Management. This includes:

- Reviewing eligibility determinations on a regular basis
- Reviewing performance reports on a regular basis and investigating causes for poor performance
- Periodically requesting reports for information currently not provided by the contractor, including:
  - On-time performance for requested drop-offs
  - Trip denials
  - Trip length analysis, relative to comparable fixed route trips
  - Complaints received, with resolutions and response
- Reviewing complaints and resolutions proposed by the contractor prior to issuance

- Periodically reviewing service to ensure that service criteria and other paratransit policies are consistent, comply with the DOT regulations, and are properly carried out by the contractor

### 6.11 Service Provided by Another Public Entity

**Requirement:** 49 CFR Part 37 applies to any public entity that provides designated public transportation or intercity or commuter rail transportation. Under 49 CFR § 37.21(b), for entities receiving Federal financial assistance from the Department of Transportation, compliance with the applicable requirements of 49 CFR Part 37 is a condition of § 504 of the Rehabilitation Act of 1973 and of receiving financial assistance. Where a transit agency relies on another public entity to provide complementary paratransit service on its behalf, the transit agency remains responsible for meeting the requirements of 49 CFR Part 37. In other words, a transit agency must ensure that the service provided on its behalf meets all of the requirements that the transit agency would be required to meet, if the transit agency provided the service directly.

Transit agencies must have policies and procedures in place to monitor the performance of such service to ensure that these requirements are met; transit agencies are not permitted to defer to the public entity operating the service.

**Discussion:** During this review, no deficiencies were found this requirement. Porterville Transit does not contract with any public agencies for paratransit service.

### 6.12 Coordination of Service

**Requirement:** Under 49 CFR § 37.139(g), public transit operators were required to address efforts to coordinate service with other fixed route operators with overlapping or contiguous service areas or jurisdictions when developing their complementary paratransit plans. Coordination is an ongoing process; while these efforts are likely to have evolved over time, it is expected that such transit agencies will have a mechanism in place to ensure that complementary paratransit riders have an ability to make interjurisdictional trips on a comparable basis to individuals using the fixed route system.

**Discussion:** During this review, no deficiencies were found with how Porterville coordinates service with other fixed route operators with overlapping or contiguous service areas or jurisdictions. An advisory comment is made about potential future coordination.

Tulare County Area Transit (TCAT) has five bus routes that travel through Porterville Transit's paratransit service area and terminate at the Downtown Transit Center. However, TCAT does not operate ADA complementary paratransit service for these five bus routes. Porterville dispatchers recounted instances in which Dial-A-Ride riders transferred to a TCAT fixed route bus (not paratransit) at the Downtown Transit Center.

**Advisory Comment:** If in the future, TCAT offers complementary paratransit service for the bus routes that travel through Porterville, it would be an effective practice for Porterville to coordinate its Dial-A-Ride service with TCAT's paratransit service.

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## Summary Table of Compliance Review Findings

Item	Part 27 or 37 or 38 Requirement	Reference	Site Visit Finding Deficiency/ No Deficiency or Advisory Comment	Finding(s) of Deficiency/Exit Meeting Notes	Response Days/ Date*
1	Comparable complementary paratransit service	37.121	No deficiencies		
2	Absence of administrative burden	37.125 & 37.5	1 advisory comment (see report text)		
3	ADA paratransit eligibility standards	37.123(e) (1)-(3)	2 deficiencies 2 advisory comments (see report text)	Porterville Transit does not have procedures to confer ADA paratransit eligibility to applicants who meet the regulatory criteria of strict eligibility For any determinations of ineligibility or less-than-unconditional eligibility, Porterville Transit does not have procedures to state the specific reasons for the decision and provide information on the appeal process	
4	Accessible information	37.125(b)	No deficiency		
5	Eligibility determinations within 21 days	37.125(c)	No deficiency 2 advisory comments (see report text)		
6	Written eligibility determinations including specific reasons for denials or temporary or conditional eligibility	37.125(d)(e)	1 deficiency 1 advisory comment (see report text)	Porterville Transit's letters of unconditional eligibility are lacking some required information	
7	Recertification of eligibility at reasonable intervals	35.125(f)	1 deficiency	Public information materials and eligibility determination letters are inconsistent regarding the length of eligibility and whether or how recertification is required	
8	Administrative appeals process for denials and conditional eligibility	37.125(g)	2 deficiencies	Opportunity to appeal in person is not available to all appellants Appeal process does not provide for required separation of function	

9	Complementary paratransit for visitors	37.127	1 deficiency	Statement of policy on Porterville Transit website is not correct regarding documentation required of riders who do not have credentials from another paratransit system or the number of days for which service will be available	
10	Types of service	37.129	No deficiencies		
11	Service area	37.131(a)	1 deficiency	Porterville Transit does not offer paratransit service to all areas within 3/4-mile of its bus routes	
12	Response time	37.131(b)	1 deficiency	Porterville Transit does not have a process in place to accept and schedule next-day trip requests on days in which the office is closed	
13	Fares	37.131(c)	1 deficiency	Porterville Transit charges paratransit riders a fare for trips within the 3/4-mile corridor of Route 9, a fare-free route	
14	No trip purpose restrictions	37.131(d)	No deficiencies		
15	Hours and days of service	37.131(e)	1 deficiency	Porterville Transit does not schedule trips during all days and hours when fixed route bus service operates	
16	Absence of capacity constraints	37.131(f)	See below		
17	No restrictions on the number of trips provided to an individual	37.131(f)(1)	No deficiencies		
18	No waiting list for access to the service	37.131(f)(2)	No deficiencies		
19	No substantial numbers of significantly untimely pickups for initial or return trips	37.131(f)(3)(i)(a)	1 deficiency	In analysis of sample month's data, Porterville Transit had 13.2 percent late pickups	
20	No substantial numbers of trip denials or missed trips	37.131(f)(3)(i)(b) 37.131(3)(1)(b)	2 deficiencies	Porterville Transit has incomplete definition of a missed trip Porterville Transit miscoded carrier missed trips as	



				passenger no-shows	
21	No substantial numbers of trips with excessive trip lengths	37.131(f)(3)(i)(c)	No deficiencies 2 advisory comments (see report text)		
22a	No operational patterns or practices significantly limiting service availability (telephone hold times)	37.131(f)	No deficiencies 2 advisory comments (see report text)		
22b	No operational patterns or practices significantly limiting service availability (untimely drop-offs)	37.131(f)	No deficiencies 1 advisory comment (see report text)		
23	Subscription Service	37.133	No deficiencies 1 advisory comment (see report text)		
24	No-show, late cancel and reasonable service suspension & appeal policies	37.125(h)(1)-(3)	1 deficiency 1 advisory comment (see report text)	Porterville Transit's no-show policy does not include all the required elements of the appeal process available to riders	
25	Complaint Resolution & Compliance Information	27.13(a)(b) & 27.121	2 deficiencies	City of Porterville does not play an active role in its process for accepting and resolving ADA-related complaints concerning Porterville Transit City of Porterville does not maintain a summary of ADA-related complaints for five years	
26	Nondiscrimination	37.5	1 deficiency	Porterville Transit has several policies that are more restrictive for Dial-A-Ride riders than for fixed route riders	
27	Training	37.173	3 deficiencies 1 advisory comment (see report text)	Porterville Transit's individual who handles its eligibility determination for ADA complementary paratransit does not have sufficient training Porterville Transit's complaint coordinator does not appear to have a sufficient understanding of the regulations to adequately enforce the regulatory procedures	

				Drivers do not appear to understand the pickup window	
28	Service under contract with a private entity	37.23	1 deficiency	City's monitoring of service quality has been inconsistent and incomplete	
29	Service provided by another public entity	37.21(b)	Not applicable		
30	Coordination of service	37.139(g)	Not applicable 1 advisory comment (see report text)		

**Attachment A**  
**FTA Notification Letter to Porterville Transit**

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U.S. Department  
of Transportation  
**Federal Transit  
Administration**

Headquarters

East Building, 5th Floor, TCR  
1200 New Jersey Avenue, SE  
Washington, DC 20590

October 7, 2019

Richard Tree  
Transit Manager  
City of Porterville  
61 W. Oak Avenue  
Porterville, CA 93257

Dear Mr. Tree:

The Federal Transit Administration (FTA) is responsible for ensuring compliance with the Americans with Disabilities Act of 1990 (ADA) and the Department of Transportation's (DOT) implementing regulations of 49 CFR Parts 27, 37, 38, and 39 as they apply to public transportation. As part of its ongoing oversight efforts, FTA through its Office of Civil Rights conducts on-site ADA specialized reviews of grant recipients. The City of Porterville (Porterville Transit) has been selected for a review of its complementary paratransit service to take place November 12-15, 2019.

The purpose of this review will be to determine whether Porterville Transit is meeting its obligations to provide paratransit service as a complement to its fixed route bus service in accordance with the service criteria and eligibility requirements contained in Subpart F of 49 CFR Part 37, and other related requirements contained in 49 CFR Parts 27, 37, 38 and 39.

The review process includes data collection prior to the on-site visit, an opening conference, an on-site analysis of the complementary paratransit service, and an exit conference. The entire on-site portion of the review will be completed within four days. FTA has engaged the services of the Collaborative, Inc., of Boston, MA, to conduct this specialized review. Representatives of the Collaborative and FTA will participate in the opening and exit conferences, with FTA participating by telephone.

We request an opening conference at 9:00 AM, PST, on Tuesday, November 12, to introduce the Collaborative team and FTA representatives to Porterville Transit. Attendees should include you or your designee, the paratransit service manager, the ADA coordinator, and other key staff. During the opening conference, the review team members will present an overview of the on-site activities.

Because review team members will spend considerable time on site during the week, please provide them with temporary identification and a workspace within or near your offices for the duration of their visit. Please let us know if you will designate a member of your staff to serve as Porterville Transit's liaison with the review team and coordinate the on-site review and address questions that may arise during the visit.

So that we may properly prepare for the on-site visit, we request that you provide the information described in Enclosures 1 and 2. Enclosure 1 consists of items that must be received by October 21, 2019. Please forward these materials to the following contact person:

Mr. David Chia  
the Collaborative, Inc.  
122 South Street  
Boston, MA 02111  
617-338-0018, ext. 17  
*dchia@thecollaborative.com*

Enclosure 2 consists of items that the Collaborative team will review on-site beginning on November 12, after the opening conference.

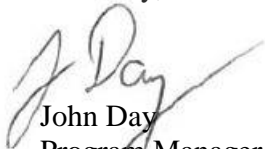
FTA requests your attendance at an exit conference scheduled for 1:00 PM, PST, on Friday, November 15. The exit conference will afford an opportunity for the reviewers to discuss their observations with you and your agency. We request that you or your designee, the paratransit service manager, the ADA coordinator, and other key staff attend the exit conference.

The FTA Office of Civil Rights will make findings and will provide them to you in a draft report. You will have an opportunity to correct any factual inconsistencies before FTA finalizes the report. The draft and final report, when issued to Porterville Transit, will be considered a public document subject to release under the Freedom of Information Act, upon request.

Porterville Transit representatives are welcome to accompany the review team during the on-site activities, if you so choose. If you have any questions or concerns prior to the opening conference, please contact me at (202)-366-1671, or via email at *john.day@dot.gov*.

Thank you in advance for your assistance and cooperation as we undertake this process. We look forward to working with Porterville Transit staff.

Sincerely,



John Day  
Program Manager  
FTA Office of Civil Rights

Enclosures (2)

cc: Ray Tellis, Regional Administrator, FTA Region 9  
Selene Faer Dalton-Kumins, Associate Administrator, FTA Office of Civil Rights

## **Enclosure 1: Pre-Site Visit**

**The following information must be submitted to the Collaborative by October 21, 2019.**

1. A description of how ADA complementary paratransit service is structured and provided, including:
  - How trip requests/reservations are handled (by a central reservation office? by the contractor?) and the address(es) where reservations are taken
  - How trips are scheduled (by a central scheduling office? by the contractor?) and the address(es) of the scheduling office(s).
  - How dispatching is handled (centrally? by the contractor?) and the address of the central dispatch office or the contractor's dispatch office(s).

Note that the Collaborative may contact you in advance to discuss this first question.

2. A copy of the current carrier and broker contract(s), if service is contracted out
3. A copy of the ADA complementary paratransit drivers manual
4. A copy of the ADA complementary paratransit application and materials, including procedures for visitor service
5. Written description of the agency's ADA eligibility appeal process
6. Copies of the ADA complementary paratransit riders guide and/or service brochure, or other documents that explain to the public and eligible riders how trips are requested and how service is provided
7. A copy of the agency's no-show suspension policy, if applicable
8. A description of the complementary paratransit service standards, including:
  - The on-time performance standards for pickups and drop-off (how is "on-time" defined and what is the goal for the percentage of trips to be provided within each standard?)
  - Trip denials and missed trips (how are these defined and what is the transit agency's standard regarding acceptable numbers or percentages of trip denials or missed trips?)
  - Travel time (on-board time) standards, including maximum travel time (if applicable) (how is this defined? what travel time is considered comparable to fixed route and what travel time is considered excessive? What are the agency's goals for the percentages of trips to be provided within each standard?)
9. Telephone call-handling performance standards for calls to reservations and dispatch, including:
  - Maximum and standard queue/hold times
  - Call pick up time
  - Calls abandoned
  - Goals for percentage of calls to be answered within these established standards
10. Copies of completed driver manifests for the most recent two-month period scanned or in electronic form (for each of the agency's contractors, if applicable)

11. Capital and operating budget and expenditure information for complementary paratransit service for the three most recent fiscal years, including the current federal fiscal year
12. The number of complementary paratransit trips, requested, scheduled, provided, and trips denied for the three most recent fiscal years, including the current federal fiscal year
13. Three copies of the fixed route system map



## **Enclosure 2: On-Site Visit**

**We request that the following information and/or assistance be available at the beginning of the on-site visit:**

1. The following complementary paratransit data, by month, for the most recent six-month period (paper copies as well as in electronic format, if available):

- Trips requested
- Trips scheduled
- Trips denied
- Canceled trips
- Passenger no-shows
- Carrier missed trips
- Trips provided
- An itemization of trips requested, scheduled, and provided by recognized geographic areas, communities, or zones
- A listing of trips denied each month showing:
  - customer's name
  - origin
  - requested destination
  - date and time
  - if the person was ambulatory or used a wheelchair
- On-time performance information
- A listing of trips that exceeded the 60 minutes, showing:
  - the customer name
  - origin
  - destination
  - date and time
  - if the person was ambulatory or used a wheelchair
  - total time on-board
- A listing of passenger no-shows and carrier missed trips for the last month with negotiated pickup times and actual vehicle arrival and departure times
- Telephone call management records (if available), showing:
  - hold times by date and time
  - total call volume
  - calls answered
  - calls abandoned
  - other call management performance data maintained
- Copies of completed driver manifests (for each of the agency's contractors, if applicable)

2. A list of complaints by month for the last 12 months related to ADA complementary paratransit service. The list should include all complaints related to trip denials, missed trips, wait lists, trip caps, trip restrictions or limits, on-time performance, lengthy trips, phone capacity issues, etc. The list should show:
  - customer's name
  - nature of complaint
  - date of trip request, if applicable
  - requested trip origin, destination, date and time
  - scheduled trip time (if applicable) and carrier
  - date complaint submitted and format (phone, letter, email, in person)
  - resolution and any corrective action taken (any corrective actions requested and taken)
3. The following ADA paratransit eligibility information:
  - Copies of eligibility guidelines and policies and any assessment or interview forms
  - Sample letters of all types of determination (unconditional, conditional, temporary, trip eligible, if applicable)
  - Other letters related to receipt of applications, incomplete applications, eligibility appeals and other eligibility issues
  - Total number of ADA paratransit eligible individuals
  - Any documentation, policies, procedures and correspondence related to service suspensions for passenger no-shows
  - Access to eligibility files and appeals records
  - For most recent 12 months:
    - Number of applications received
    - Number of completed application considered and processed
    - Number of applications determined incomplete
    - Number of people determined unconditionally eligible
    - Number of people determined conditionally eligible
    - Number of people determined temporarily eligible
    - Number of people determined ineligible
    - Number of eligibility appeals and outcomes
4. Work shift assignments for reservationists (call-takers), schedulers, dispatchers, and drivers
5. Access to personnel records showing hire and termination dates for reservationists (call-takers), schedulers, dispatchers, drivers, and road supervisors
6. Current complementary paratransit fleet roster with vehicle type, make and model year and odometer reading, (designating whether the vehicles are accessible or inaccessible), numbers of accessible and inaccessible spares. For each accessible vehicle, please include the design load of the lift or ramp
7. Run structure (vehicles in service by hour of day)

8. Access to the most recent six months of daily vehicle pullout records showing late pullouts and closed runs
9. Vehicle availability reports for most recent six months
10. Copies of vehicle pre-trip inspection and preventative maintenance form(s)
11. Assistance with viewing and capturing parameters used in the scheduling software
12. Assistance with viewing and collecting data on vehicle run structures and peak pullout requirements
13. Subscription trips by hour
14. Training curricula for each type of complementary paratransit employee
15. Procedures for providing information and communication in accessible formats

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**Attachment B**  
**Porterville Transit “Dial-A-Ride Guide to Ride”**

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## DIAL-A-RIDE GUIDE TO RIDE



A Division of City of Porterville  
Public Works Department  
15 E. Thurman Ave., Suite A  
Porterville, CA 93257  
(559) 782-7448

# 2018

## A MESSAGE FROM THE DIRECTOR



The Dial-A-Ride Guide to Ride was developed to aid customers, families, caregivers, medical professionals, social workers, and others in using Dial-A-Ride services effectively. The Guide was written in a collaborative effort between Porterville Transit staff and the Disability Advisory Commission.

Dial-A-Ride has been providing service to Porterville residents since 1985, and has been modified to meet transportation requirements under the Americans with Disability Act of 1990. The Dial-A-Ride system is designed to provide persons with disabilities transit service comparable to the City bus service. The goal is to provide equal opportunity and independence for all customers with a commitment to provide safe, convenience, and timely trips.

Porterville Transit is committed to making this Guide accessible to individuals with disabilities. If you need to request an alternative version, please contact us at (559) 791-7800 or California Relay Service At '711'.

Richard I. Tree  
Transit Manager  
City of Porterville  
(559) 782-7448  
[rtree@ci.porterville.ca.us](mailto:rtree@ci.porterville.ca.us)



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## GENERAL INFORMATION

### What is Dial-A-Ride service?

Dial-A-Ride is a service designed to meet the transportation needs of eligible persons with disabilities who cannot functionally use the Porterville Transit fixed-route City bus system.

The American's with Disability Act (ADA) of 1990 requires public transportation agencies to provide paratransit service to eligible persons with disabilities that are comparable to the City bus service.

Dial-A-Ride is a shared ride, curb-to-curb service, provided from any origin to any destination within the service area for any trip purpose. It has the same operating hours and days as the Porterville Transit fixed-route bus system.

***Disclaimer: Dial-A-Ride is not for life threatening emergencies. For life threatening emergencies, always call 911 – not Dial-A-Ride***

### Who operates the service?

Porterville Transit provides ADA paratransit service as part of its overall transportation program in the community. SM Transit, a professional transportation company operates the Dial-A-Ride service under contract with Porterville Transit.

### What is the website for the Porterville Transit?

<http://www.ridept.com>

### What is the Dial-A-Ride telephone number?

For information about Dial-A-Ride service and eligibility, to pick up an application, or have an identification card made:

Porterville Dial-A-Ride Center  
61 W. Oak Ave, Porterville, CA 93257

Telephone	(559) 791-7800
Office Hours	Monday – Friday 8 am to 5 pm

To request a Dial-A-Ride trip reservation, cancel a reservation, find out about a pick-up, or contact a dispatcher:

**Dial-A-Ride Reservation (559) 791-7800**

**Assistance to file an inquiry, complaint, or compliment**

Trisha Whiteley  
Porterville Transit Coordinator  
291 N. Main Street, Porterville, CA 93257  
(559) 782-7454  
[twhiteley@ci.porterville.ca.us](mailto:twhiteley@ci.porterville.ca.us)

**Dial-A-Ride Operations Manager**

Robert Tree  
SM Transit, Director of Operations  
15 E. Thurman Ave, Suite A, Porterville, CA 93257  
(559) 791-7810  
[rjtree@smtransit.com](mailto:rjtree@smtransit.com)

**Porterville Transit ADA Coordinator**

Richard Tree  
Porterville Transit Coordinator  
291 N. Main Street, Porterville, CA 93257  
(559) 782-7448  
[rtree@ci.porterville.ca.us](mailto:rtree@ci.porterville.ca.us)

**Porterville Transit staff is available using the California Relay Service at '711'**

## DIAL-A-RIDE ELIGIBILITY

### Who is eligible for service?

Dial-A-Ride provides service to ADA paratransit eligible individuals. An eligible individual may travel with a personal care attendant, one companion (or more if space is available), and up to a maximum of 4 children under 6 years of age. Anyone meeting the eligibility criteria for ADA transit service is eligible for Dial-A-Ride service.

**ADA Certified Eligible Visitors:** Visitors from outside of the Porterville Transit / Dial-A-Ride service area may receive Dial-A-Ride service up to 21 days in a 12-month period. Visitors may be asked to show documentation of their ADA paratransit eligibility from the jurisdiction in which they reside or, if that is not available, documentation of the individual's place of residence outside of the Dial-A-Ride service area and, if their disability is not apparent, of his or her disability.

***Disclaimer:*** Porterville Transit reserves the right to refuse service to anyone that disrupts the operation of the vehicle or threatens the driver, office staff, and/or passengers.

### How does someone become ADA eligible for Dial-A-Ride?

An application for Dial-A-Ride service is needed to begin the 21-day evaluation process for service eligibility. A Dial-A-Ride application is attached at the end of this guide. Individuals may also obtain a Dial-A-Ride application online ([www.ridept.com](http://www.ridept.com)) or at any one of our location at:

<b>Downtown Transit Center</b>	<b>Porterville City Hall</b>
61 W. Oak Ave, Porterville, CA 93257	291 N. Main St., Porterville, CA 93257

<b>Transit Administration</b>
15 E. Thurman Ave, Suite A, Porterville, CA 93257

You may receive an application through the mail by contacting the Porterville Transit Office at (559) 791-7800 or California Relay 711.

Using the standards outlined in the ADA, a determination of eligibility is made within 21 days following the submission of a completed application.

***Disclaimer: If Porterville Transit has not made a determination of eligibility 21 days after the submission of an individual's completed application, the applicant will be treated as eligible and provided service unless and until Porterville Transit makes a determination of eligibility.***

Applicants receive an eligibility determination letter from Porterville Transit. If eligibility is confirmed, applicants with a **qualifying permanent disability** will receive a three-year certification. Applicants with a **qualifying temporary disability** would receive certification for the length of time needed, up to three years.

To begin using Dial-A-Ride, approved individuals will be directed to the Porterville Transit Center to have a free Dial-A-Ride photographic identification (ID) card made. If requested, Dial-A-Ride will provide free transportation to obtain the Dial-A-Ride ID card.

### **What can be done if eligibility has been denied?**

Individuals who are denied ADA paratransit service can obtain a review of their denial. An appeal must be filed within 60 days from the denial of the application.

An individual may submit an appeal to the Porterville Transit ADA Coordinator in writing or by telephone by calling:

(559) 782-7448

If the Porterville Transit ADA Coordinator accepts the appeal and overturns the denial, written notification of approval of Dial-A-Ride eligibility will be sent to the passengers.

If the eligibility denial is upheld, the Porterville Transit Coordinator would provide written notification stating that the individual is not eligible to use Dial-A-Ride services and the reason for the denial.

An individual may skip the step above and may request a hearing anytime by calling the Porterville Transit ADA Coordinator directly at:

(559) 782-7448

Hearings are heard by the ADA Eligibility Review Committee. The committee making up the hearing panel is composed of two members from the Disability Advisory Commission (DAC) and one Porterville Transit representative.

The final decision regarding ADA paratransit eligibility appeals is the outcome of the hearing process. Written notification of the decision and the reasons for it will be made within thirty (30) calendar days of the hearing date.

### **What is the Recertification Process?**

Recertification of Dial-A-Ride eligibility requires that a completed Dial-A-Ride application be submitted to the Porterville Transit office at least 21 days prior to the eligibility date which is indicated on the Dial-A-Ride ID card.

A notification letter and a recertification application are sent to Dial-A-Ride customers approximately 45 days prior to the expiration of their Dial-A-Ride eligibility. To ensure this notification is received, it is important to inform Porterville Transit of any mailing address changes.



## SERVICE INFORMATION

### What are the Hours of Operation?

<b>Service Hours</b>	<b>Time</b>
Monday-Friday	6:00 am – 10:30 pm
Saturday	8:00 am – 10:30 pm
Sunday	8:00 am – 6:00 pm
<b>Reservation Hours</b>	
Monday – Friday	8:00 am – 5:00 pm
Saturday – Sunday	8:00 am – 5:00 pm
<b>Cancellation Hours</b>	
Monday – Friday	5:30 am – 10:00 pm
Saturday	7:30 am – 10:00 pm
Sunday	7:30 am – 5:00 pm
**Cancellations accepted 24 hours a day, 7 days a week.	
<b>Dispatch Hours</b>	
Monday – Friday	8:00 am – 5:00 pm
Saturday	7:30 am – 10:00 pm
Sunday	7:30 am – 5:00 pm

### When can I schedule my trip?

<b>What is the earliest scheduled pick-up time offered?</b>	
Monday – Friday	6:00 am
Saturday	8:00 am
Sunday	8:00 am
<b>What is the latest scheduled pick-up time offered?</b>	
Monday – Friday	10:00 pm
Saturday	10:00 pm
Sunday	5:00 pm

## What is the Reservation/Cancellation/Dispatch Telephone Number?

(559) 791-7800

California Relay 711

## What Holidays are observed?

Dial-A-Ride will not operate on the following holidays:

New Year's Day	Easter Sunday
Memorial Day	Independence Day
Labor Day	Thanksgiving Day
Christmas Day	

Dial-A-Ride will operate a Sunday Schedule on the following holidays:

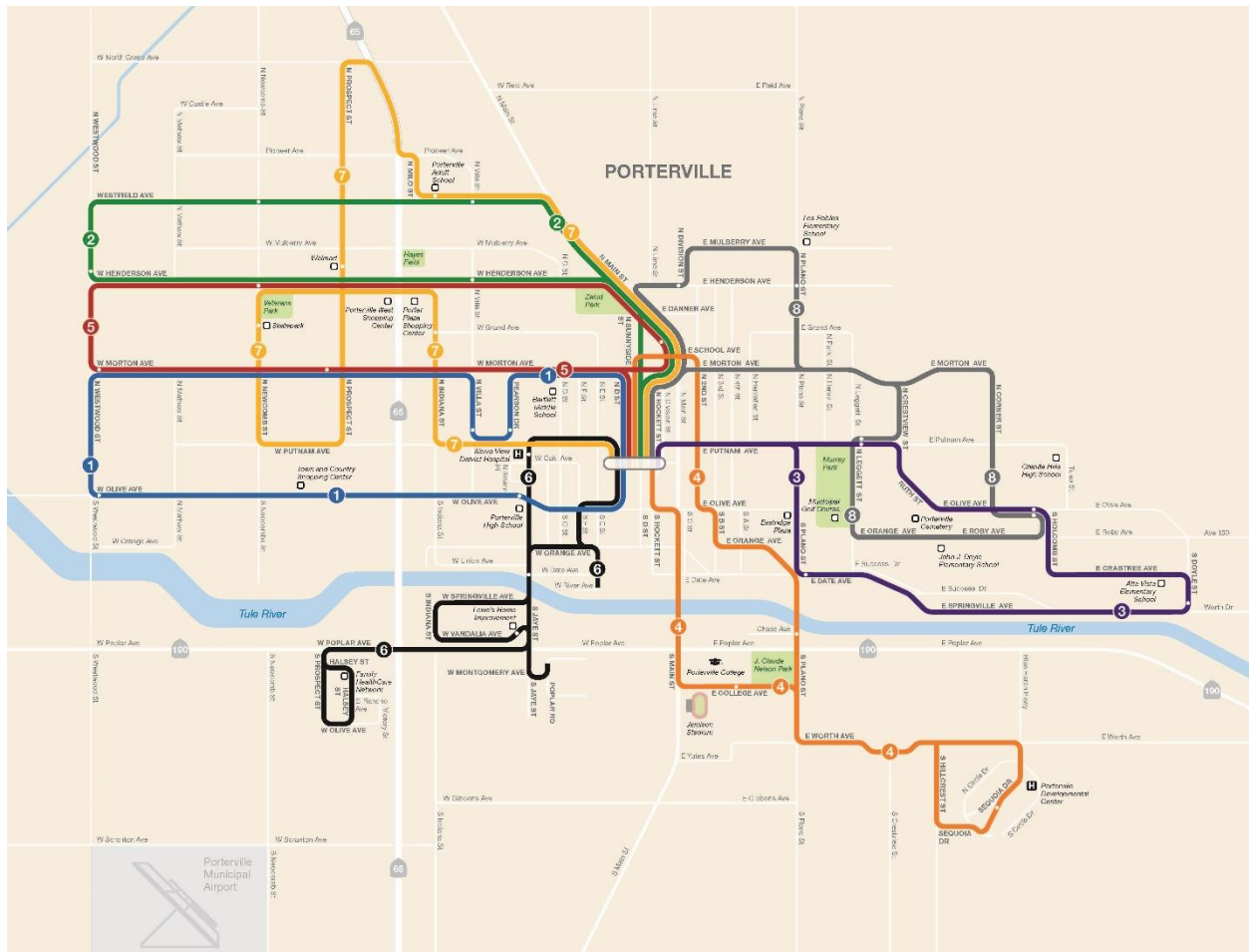
Presidents Day	Veterans Day
Day before Christmas	Day before New Years

## What is the Service Area?

The area boundaries are from \_\_\_\_\_ to the north, \_\_\_\_\_ to the south, \_\_\_\_\_ to the east, \_\_\_\_\_ to the west.

These boundaries satisfy ADA requirements to provide service a minimum of three-quarters of a mile on either side of all routes making up the Porterville Transit fixed-route transit system.

## Service Map



## How much does Dial-A-Ride cost?

Fares (exact fare required):

ADA Eligible Individual per Ride Fare	\$2.50
General Individual per Ride Fare	\$5.00
Personal Care Attendant	FREE
Companion(s) per Ride Fare	\$2.50
Children (under age 6, maximum of 2 children)	FREE

## Where can I buy a Dial-A-Ride Ticket?

Online <a href="https://www.ridept-efare.com/">https://www.ridept-efare.com/</a>	Downtown Transit Center 61 W. Oak Ave, Porterville, CA 93257
City Hall 291 N. Main St., Porterville, CA 93257	Transit Administration 15 E. Thurman Ave, Porterville, CA 93257

## How can I request a ride?

### **Reservations**

The process of requesting a trip on Dial-A-Ride begins with the reservation process. Reservations for Certified Eligible riders and ADA Eligible Visitors may be made anytime during normal business hours, up to fourteen (14) days in advance of the requested trip, 365 days a year.

Eligible riders making reservations during business hours, the day before service will be accepted.

Dial-A-Ride reservations hours are 8:00 am to 5:00 pm Monday through Sunday. The telephone number is (559) 791-7800 or California Relay 711.

### **Subscription Service**

A subscription service is when a paratransit-eligible persons arranges a standing appointment for a ride, such as an 8:00 am Monday through Friday departure for work and subsequent 5:00 pm return trip. You can also schedule a weekly trip light going to church. A reservation is not required.

### **Exceptions**

Subscriptions that land on any of the observed holidays will automatically be cancelled. However, if you still need transportation, simply follow the standard reservation policy state above.

Dial-A-Ride has the flexibility to review subscription schedules on an ongoing basis and if required, renegotiate the pick up and drop off time with the eligible individual to improve the on-time performance and efficiency.

Dial-A-Ride passengers who cancel 50% or more of their subscription bookings in a month will have that particular subscription booking suspended. They will not be able to rebook that particular subscription request for 30 service days.

A subscription booking will be in effect for a maximum of one year from the date of scheduling. Prior to the one year anniversary, the paratransit provided will notify effected Dial-A-Ride registrants of the need to renew their subscription booking.

## What information is needed to make a Reservation?

### **Passenger Information**

The information needed is the passenger's first and last name, pick-up address, including any apartment number, building number, specific instructions, or directions, etc.

### **Passengers telephone number/cell phone number**

This information is optional, however Dial-A-Ride staff will not be able to contact you if needed.

### **Passenger's requested pick-up time**

Based on the requested pick-up time and the schedule of the vehicle, the reservation agent may negotiate a pick-up time with the individual that could be up to an hour before or after the desired pick-up time. When scheduling a pick-up for an appointment, it is helpful to advise the reservation agent of the appointment time.

It is recommended that the reservation booking ID number be recorded.

Advise the reservation agent when a mobility device or Personal Care Attendant will be traveling with you.

Advise the reservation agent if you require assistance other than our standard curb-to-curb service.

### **Number of passenger's, travel companions, and/or children**

Include the number of companions, PCAs, and children.

### **Passenger drop off address**

Include any suite number, building number, location within a building complex, telephone number (if known), the name of the location where they are going.

### **Passenger's requested drop-off time**

When requesting a drop-off time, the passenger should allow sufficient time to travel from the curb to the final destination point.

### **Passenger's return pick-up time**

For a passenger's return pick up time, please provide the scheduled time of the return trip. If a return pick up time is not known, please provide an estimated drop-off time.

**When will the bus arrive for a pick-up and how long will it wait?**

### **Scheduled pick-up**

In order to meet our commitment regarding on time performance, Dial-A-Ride makes every effort to arrive for a scheduled pick-up within a 30-minute period of time. For example, a vehicle that is on time for a 10:00 am pick-up would arrive between 10:00 am to 10:30 am.

### **The 5-minute wait rule**

Once the Dial-A-Ride vehicle arrives at the pick-up location, the driver is required to wait for 5 minutes for the passenger to board the vehicle. If the passenger is not ready after five minutes, the driver must leave for the next scheduled pick up.

**Will Call Service**

Will call or waiting list's is not used by Porterville Transit. Trips must be scheduled in advance.

**How long does a trip take?**

The length of the Dial-A-Ride trip varies according to several factors including: the distance from the origin to the destination address, traffic conditions, and the service provided to other passengers who share the vehicle.

Individuals may expect that a trip taken on Dial-A-Ride would compare in length to the same trip taken on the Porterville Transit fixed route system. Normally, a trip should not exceed 90 minutes.

**What happens if Dial-A-Ride arrives outside the pick-up window?**

When a rider schedules a pick-up, they will be given the actual arrival time for their trip. This is called a 'pick-up window'. For example, a vehicle that is on time for a 10:00 am pick-up would arrive between 10:00 am and 10:30 am. If the vehicle arrives outside the pick-up window, the ride is free.

## How can a reservation be changed?

Should a change in plans or illness create the need to cancel a reservation, call the Dial-A-Ride Cancellation Office at (559) 791-78100 or California Relay 711 as soon as possible.

## Who can answer questions about pick-ups?

The Dial-A-Ride reservation agents and/or Dial-A-Ride dispatcher can answer questions about pick-ups. Contact the Dial-A-Ride Reservation/Dispatch Office at (559) 791-7800 or California Relay 711 for pick-up information.

For those riders traveling with a personal care attendant, it is recommended that they call Dial-A-Ride themselves with questions about pick-ups, if possible. It has been our experience that information conveyed through intermediaries such as personal care attendants is often misstated when conveyed to the Dial-A-Ride user. Communicating directly with the rider has yielded much better results.

## KEY SERVICE POINTS

### Who may travel with ADA individuals?

#### **Personal Care Attendant (PCA)**

A personal care attendant is someone designated or employed specifically to help the eligible individual meet his/her personal needs. An individual designated or employed in this capacity is always accommodated on the vehicle. A PCA may ride at no additional cost. The need for a personal care attendant must have been established on the application for Dial-A-Ride service or subsequently on a revision to the original application.

#### **Companion**

A companion is an individual selected by the ADA eligible person to accompany him/her on a trip. The first companion is always accommodated on the vehicle. Other will be serviced on a space-available basis. Each companion is required to pay \$2.50 per ride.

Individuals who accompany a passenger must have the same origin and destination points.

## **Children**

Up to two children under the age of six may accompany the ADA individual at no cost. Additional children under the age of six must ride as a companion on a space-available basis. All children under the age of six may only travel when accompanied by a fare paying adult. Children six or older can ride as a companion and or an attendant.

## **What is a service animal?**

Under the Department of Transportation (DOT) Americans with Disability Act (ADA) regulations at 49 C.F.R. Section 37.3, “service animal” is defined 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 fetching dropped items.”

## **Is there a limit on the size of a mobility device?**

Most of the accessible vehicles in our fleet are designed to accommodate a mobility device no larger than 33 inches wide by 50 inches long/ and or weighing with its passenger up to 800 lbs. While we make all reasonable efforts to accommodate our riders, if your mobility device is longer than this, we may not be able to transport you either because it would damage the vehicle or do to so would impose an unreasonable safety hazard.

It is strongly recommended that while on the life of the bus or in the bus, the person using an electric mobility device turn off the power. This is not, however, a requirement.



## What are the important point to know?

- Dial-A-Ride ID Cards must be shown to the driver when boarding the vehicle.
- Exact fare is required. Drivers do not carry change.
- If requested, drivers may give directions to the building entrance.
- Drivers must secure mobility devices to vehicle.
- Dial-A-Ride passengers are encouraged to use seatbelts at all times.
- Children under six years of age must ride in a child safety seat provided by the passenger.
- Dial-A-Ride is a shared-ride service meaning, other customers are being transported at the same time.
- Dial-A-Ride is a curb-to-curb service, meaning that you will be picked up at the curb in front of your destination. We also provide origin-to-curb, origin-to-destination, or curb-to-destination service for riders having additional needs. Please notify us when you schedule your trip that you will need assistance to your destination or from your origin to the vehicle. If you have never been to a location or conditions change, the driver will provide assistance as necessary.
- For safety reasons, drivers are to always keep the vehicle in sight, traveling no further than 100 feet from the vehicle when providing assistance to a customer beyond curb-to-curb. Case-by-case situations may require modifications to ensure that the origin-to-destination requirement is met.

### ***Disclaimer:***

***Drivers are required to stay within sight of the vehicle at all times and may travel no further than 100 feet to provide assistance.***

## CUSTOMER SUPPORT

### Is training available to learn how to use Dial-A-Ride?

Dial-A-Ride staff is available to offer training to people with disabilities who would like to learn how to utilize the Dial-A-Ride system. Contact the Dial-A-Ride Office at (559) 791-7800 or California Relay 771 for more information.

### Who should be contacted about Lost and Found items?

For items lost or found on a Dial-A-Ride vehicle, contact the Dial-A-Ride office at (559) 791-7800 or California Relay 711.

### What is the process to convey a request or complaint?

A request or complaint may be submitted online, verbally, or in written form. If assistance is needed to file a request or complaint, please contact the Porterville Transit Coordinator at (559) 782-7448 or California Relay 711.

### What is the feedback, request, or complaint process?

The Dial-A-Ride complaint process is as follows:

- An inquiry is a telephone feedback, request, or complaint taken down and passed on to the Bus Operator or Employee's Supervisor for discussion with the Operator or Employee regarding the alleged infraction.
- A formal feedback, request, or complaint is a formally written and submitted statement of the Porterville Transit operator or employee.

Any individual who wishes to file feedback, a request, or a complaint may submit a letter or Porterville Transit, or may submit a Porterville Transit Complaint Form, or may submit an online Porterville Transit Complaint form. An inquiry is often in the form of a telephone call.

Please contact the Porterville Transit Coordinator for assistance in filing at (559) 782-7448 or California Relay 711.

## Attachment A – Dial-A-Ride Application



Dear Applicant:

Enclosed is a copy of the Dial-A-Ride application you requested. Please complete all forms as stated in the cover sheet of the application. An incomplete application will be returned to the applicant, which will cause delay in processing your eligibility for the Dial-A-Ride program.

Please check your application before submitting it to the Dial-A-Ride office and ensure the following items have been completed.

1. Applicant's portion is complete
2. Application is signed by applicant and/or guardian
3. Physician's portion is complete and signed by a qualified health care professional.

If you have any questions, please feel free to contact the Dial-A-Ride office at (559) 791-7800.

Sincerely,

*Dial-A-Ride Team*

Enclosure



## **Dial-A-Ride Application Instructions**

All applicants must submit a complete application which includes both forms

1. The Certification Questionnaire
2. The Professional Verification Form



### **COMPLETE The Certification Questionnaire**

The Certification Questionnaire should be filled out by the applicant or the applicant's advocate. The form must be filled out in its entirety. It should be signed by the applicant or the applicant's guardian and anyone else who assisted the applicant in completing the application.



### **Complete the Professional Verification Forms**

The Professional Verification Forms must be completed by one of the following professionals who are familiar with the applicant's condition:

- Physicians or Physician Assistants;
- Occupational Therapists;
- Psychologists or Psychiatrists;
- Physical Therapists or Chiropractors;
- Orientation and Mobility Specialist (certified by ACVREP);
- Registered Nurse (RN)

To have the Professional Verification Forms completed

1. Complete and sign the Authorization to Release Information.
2. Have your designated professional complete the Professional Verification Forms (Section B).



**SUBMIT Both the Completed Certification Questionnaire and the Professional Verification Forms together to:**

**Mail or Deliver in-person to:  
Porterville Transit  
15 E. Thurman Ave, Suite A  
Porterville, CA 93257**

**Please note that upon receipt of completed applications, it may take up to 21 calendar days for your determination of eligibility.**

If Porterville Transit has not made a determination of eligibility within 21 days after the submission of an individuals completed application, the applicant will be treated as eligible and provided service until Porterville Transit makes a determination of eligibility.



### **In-Person Orientation:**

After Porterville Transit Dial-A-Ride staff has a determination on eligibility you will then be contacted via phone and/or US mail with a date for orientation. Orientation will roughly run 30 min and you will need to provide a picture form of ID so we can create your Dial-A-Ride card for you.

If you'll need a ride to orientation, one can be provided to you as a courtesy. Please call 559-791-7800 to schedule your ride to and from orientation. (Please reference the information sheet

that was mailed out to you with your orientation appointment letter if you received one.)

## Common Issues

In order to make a determination within 21 calendar days the Porterville Transit Dial-A-Ride Center must have a complete application. There are several things which may cause an application to be incomplete. By double checking these things PRIOR to submitting your application you may avoid delays in processing.

1. **One of the forms is missing.** Your application must contain both the Certification Questionnaire and the Professional Verification. Please ensure both are complete and submitted together.
2. **One of the forms is not signed.** Both the Certification Questionnaire and the Professional Verification must be signed. If either the applicant or the professional forgets to sign the form, it may be considered incomplete.
3. **The professional credentials are missing.** Professionals must include their titles and credentials when signing the Professional Verification.

Jane Doe	✗	(Incomplete)	Jane Doe <u>M.D.</u>	✓	(Complete)	Jan Doe <u>R.N.</u>	✓	(Complete)
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DATE RECVD:

FOR PT STAFF ONLY:

EXPIRATION DATE:

## **Certification Questionnaire**

Call Dial-A-Ride at (559) 791-7800, or California Relay at 711 for TTY.

Complete all parts of the form. Forms that are not fully completed will be returned, which will delay your eligibility determination.

### **Part 1**

#### **Applicant Data**

Name: \_\_\_\_\_



## **Attachment C**

### **Porterville Transit Dial-A-Ride Application Instructions, Certification Questionnaire, and Professional Verification Form**

*This page has been intentionally left blank to facilitate duplex printing*



## Dial-A-Ride Application Instructions

All applicants must submit a complete application which includes both forms

- (1) The Certification Questionnaire
- (2) The Professional Verification Form

1

### STEP 1

#### **COMPLETE The Certification Questionnaire**

The Certification Questionnaire should be filled out by the applicant or the applicant's advocate. The form must be filled out in its entirety. It should be signed by the applicant or the applicant's guardian **and** anyone who assisted the applicant in completing the application.

2

### STEP 2

#### **COMPLETE The Professional Verification Form**

The Professional Verification Form must be completed by one of the following professionals who are familiar with the applicant's condition;

- Physicians or Psychiatrists;
- Occupational Therapists;
- Psychologists;
- Physical Therapists;
- Recreational Therapists;
- Registered Nurses (RN)

To complete the Professional Verification Form

- (1) Complete and sign the Authorization to Release Information.
- (2) Send the Professional Verification Form to your designated professional.
- (3) Wait for your professional to return the Professional Verification Form to you. Check back with your professional if you have not received the form back in a timely manner.



### STEP 3

#### **SUBMIT Both Forms Together**

Submit both the Certification Questionnaire and the Professional Verification Form together to:

**City of Porterville**  
Porterville Transit  
291 North Main St.  
Porterville, CA 93257



### STEP 4

#### **In-Person Assessment**

Usually the forms provided to Porterville Transit Staff is all of the information needed to make a determination on eligibility. Sometimes, however, more information is needed. When this happens an applicant may be asked to come in for an “in-person assessment.” This assessment may include:

- **A conversation about the applicant’s current mobility.** The Transit Mobility evaluator will talk with you about how you currently get around.
- **A pretend bus trip on the computer.** This standardized test is designed to measure a person’s cognitive ability to use regular fixed-route transit. (Functional Assessment of Cognitive Transit Skills or FACTS for short.)
- **A walk outside.** This will help determine things such as physical ability to get to the regular fixed-route bus as well as memory and landmark recognition.
- **A standard walking and balance test.** This standardized test measures a person’s risk of falling. (Tinetti Gait and Balance Test.)

**Please note that applicants who need to come in for an in-person assessment will still have their application possessed within 21 calendar days.**

### **Common Issues**

In order to make a determination with 21 calendar days the Porterville Transit Staff must have a complete application. There are several things which may cause an application to be incomplete. By double checking these things PRIOR to submitting your application, you may avoid delays in processing.

- (1) **One of the forms is missing.** Your application must contain both the Certification Questionnaire and the Professional Verification. Please ensure both are submitted together.
- (2) **One of the forms is not signed.** Both the Certification Questionnaire and the Professional Verification must be signed. If either the applicant or the professional forgets to sign the form, it is considered incomplete.
- (3) **The professional credentials are missing.** Professionals must include their titles and credentials when signing the Professional Verification.

## Regulatory Definition:

Eligibility for Dial-A-Ride paratransit service is directly related to the inability of a person with a disability to use existing fixed route service. The regulations describe three specific circumstances under which a person would be considered ADA paratransit eligible:

- (1) An Individual who is unable, as a result of a physical or mental impairment (including a vision impairment), without the assistance of another person (except the operator of a wheelchair lift or other boarding assistance device), to board, ride or disembark from an accessible bus. A person who is unable to “**navigate**” the system (e.g., recognize & board the correct vehicle, having available the correct fare/and or using the fare collection system, recognize destination, and understand transfers that might have to be made.)
- (2) Any individual who could use the fixed route service, but cannot because the fixed route he/she wants to ride is not wheelchair lift equipped. **Transitional. When all fixed route buses are accessible, eligibility will not be granted under this category. Porterville Transit’s fleet is 100% accessible. This condition would apply when an individual travels outside of Porterville Transit’s service area as a visitor.**
- (3) A person whose disability interacts with the environment to **prevent** travel to or from a bus stop. Distance to or from the stop alone does not make a person eligible. Also, lack of fixed route service or inconvenient bus schedules is not a basis for eligibility.

**Dial-A-Ride** service is provided within  $\frac{3}{4}$  miles of, and during similar hours as, Porterville Transit’s regular fixed route service. **Dial-A-Ride** service and scheduling guidelines include scheduling trips 1 to 14 days of the requested date, picking up customers with a quoted 30 minute pick-up window and ride times generally not exceeding 60 minutes for each trip.

## Types of Eligibility

**Unconditional Eligibility** – an individual who can never use the fixed route service independently.

**Conditional Eligibility** – an individual who can use the fixed route service under certain circumstances. Feeder service will be provided.

**Temporary Eligibility (conditional or unconditional)** – an individual who’s disability prevents the use of the fixed route service during a designated time period.

**Visitor** – a person who is paratransit eligible in another jurisdiction is automatically eligible and the host transit agency must provide up to 21 days of paratransit service. (The “21” days of service are to be calculated as 21 days of service over a defined period of time, not as a 21 calendar day period of time, beginning from the first day the service is provided.)

## Eligibility

Eligibility is determined by 3 factors;

- (1) Individual’s ability to get to/from the bus stop
- (2) Individual’s ability to board/exit the bus
- (3) Individual’s cognitive ability to navigate the regular bus system

## **ADA Eligibility Objective:**

- Eligibility is not based on the disability, but rather the functional inability of a disabled person to use the fixed route service.
- To determine when and under what circumstances an individual can and cannot use the fixed route service.
- Paratransit eligibility is not based on a medical decision.
- Objectively identify functional ability.

## **Dial-A-Ride Service**

The applicant's disability and how it affects their functional ability to use regular bus service is the only criterion used in determining eligibility. Operational issues are not considered in the eligibility process. These are issues that affect any individual, whether they suffer from a disability or not.

*The information obtained in this certification process will be used by the City of Porterville and the Federal Transit Administration (FTA) for the provision of public transit services. Information will only be shared with other transit providers to facilitate travel in those areas. This information will not be provided to any other person or agency.*

## **TITLE VI POLICY STATEMENT**

*"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. 2000d). For more information, visit us on the web at [www.PortervilleTransit.com](http://www.PortervilleTransit.com) and click on the Title VI Policy Link, or call (559) 782-7448.*

DATE RECD:	FOR PT STAFF ONLY:	EXPIRATION DATE:
<b>CERTIFICATION QUESTIONNAIRE</b>		

### **Questions about this form?**

Call Porterville transit at (559) 791-7800, or California Relay at 711 for TTY.

Complete all parts of the form. Forms that are not fully completed will be returned, which will delay your eligibility determination.

*The information obtained in this certification process will be used by the City of Porterville and the Federal Transit Administration (FTA) for the provision of public transit services. Information will only be shared with other transit providers to facilitate travel in those areas. This information will not be provided to any other person or agency.*

### **APPLICANT INFORMATION**

1.    **Name** \_\_\_\_\_  

First
Middle Initial
Last
2.    **Street Address:** \_\_\_\_\_ **APT.#** \_\_\_\_\_
3.    **City:** \_\_\_\_\_ **Zip Code:** \_\_\_\_\_
4.    **Day Telephone: (\_\_\_\_) \_\_\_\_\_ Evening Telephone:** \_\_\_\_\_
5.    **Date of Birth:**     \_\_\_\_/\_\_\_\_/\_\_\_\_
6.    **Male**    ☐    **Female**    ☐

### **EMERGENCY CONTACT INFORMATION**

7.    **Name** \_\_\_\_\_ **Relationship** \_\_\_\_\_
8.    **Day Telephone: (\_\_\_\_) \_\_\_\_\_ Evening Telephone:** \_\_\_\_\_

	YES	NO
Are you currently enrolled in the Dial-A-Ride program?		
Have you ever been enrolled in the Porterville Dial-A-Ride program?		
Do you have a California ID card or California driver's license?		
<p>What is your disability?</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Explain how your disability prevents you from independently using the regular city bus?</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>		



	YES	NO	SOMETIMES
<b>1. Which of the following assistive devices, if any, do you use? Please check all that apply</b>			
Cane			
White Cane			
Walker			
Crutches			
Powered Wheelchair			
Powered Scooter/Cart			
Manual Wheelchair			
Communication Aid			
Prosthesis			
Portable Oxygen			
Service Animal			
<b>1. If you selected Wheelchair or Scooter, would you prefer/need to use the device while riding in Dial-A-Ride Vehicles?</b>			
<b>2. Are you able to travel in an automobile?</b>			
<b>3. If you use a wheelchair or scooter:</b>			
Is it more than 33 inches wide?			
Is it more than 51 inches long?			
Is the combined weight of the device and occupant more than 800 pounds?			
<b>4. Does your health condition/disability require you to use Dial-A-Ride service?</b>			
Permanently			
Temporarily			
Week(s)			
Month(s)			
<b>5. Does your health condition/disability change from day to day in ways that occasionally disrupts your ability to use regular-route city bus service?</b>			
<b>6. Do you now independently use regular-route city buses?</b>			
<b>7. Which of the following best describes how you use regular-route city buses?</b>			
To travel to and from one destination only?			
To travel to and from a few destinations?			
To travel to and from many different destinations?			
<b>8. Have you ever had training to use the regular-route city buses?</b>			
<b>9. What is the maximum distance you are able to travel without the assistance of another person?</b>			
Less than 1 block (<110 yards)			

1-3 blocks (110-330 yards)			
4-6 blocks (440-660 yards)			
More than 6 blocks (more than 661 yards)			
<b>10. I can wait for a regular-route city bus</b> (Check all that apply)			
Only if there is a bench or shelter			
Up to 15 min.			
More than 15 min.			
<b>11. Please check all the categories below as they relate to your ability to use regular-route city buses?</b>			
<b>I am:</b>	<b>YES</b>	<b>NO</b>	<b>SOMETIMES</b>
• Able to tolerate hot or cold weather?			
• Able to recognize destinations, bus stops, or landmarks?			
• Able to tolerate air pollution (smog, fumes, perfume)?			
• Free from night blindness (bright light, low light)?			
• Able to recognize printed information?			
• Able to hear and process spoken words or auditory information (background noise)?			
• Able to communicate needs?			
• Able to follow directions?			
• Able to deal with unexpected situations or changes in routine (example: bus detours)			
• Able to safely and effectively travel through crowded and/or complex facilities?			
• Able to recognize and navigate curbs, drop-offs, curb-cuts and other barriers?			
• Able to travel independently along sidewalks and other pedestrian ways?			
• Able to cross streets independently?			
• Able to find the correct bus stop?			
• Able to identify the correct bus (single or multiple buses during a single trip)?			
• Able to get on and off a bus using the lift if necessary?			
• Able to deposit fare into the fare box or show bus pass?			
• Able to get to a seat/wheelchair position?			
• Able to ride in a standing position?			
• Familiar with what to do if I miss my bus?			

If you checked "No" or "Sometimes" to any of the items, please explain:

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## Applicant Signature

The information provided on this form is used to determine ADA paratransit eligibility. The ability to determine your eligibility is based on receiving all of the information requested on this form. All medical or locational information pertaining to users of ADA paratransit service is private, except the name of the applicant or user. Any other information cannot be released to anyone else, unless the applicant or user authorizes the release in writing. If you are determined ADA paratransit eligible, information about your eligibility status will be entered into a database maintained by Porterville Transit.

I certify that all information on this application form is accurate. **I understand that misinformation or misrepresentation of facts will be cause for disqualification or rejection of my ADA eligibility.** I also understand that additional information relating to my health condition or disability may be required to determine eligibility. This information may be obtained through an in-person assessment or by requesting information from a professional who understands my health condition or disability. Additional information will be required only when the information provided on the application form does not clearly determine ADA paratransit eligibility.

Applicant's Name: \_\_\_\_\_  
First Middle Last

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\* If the applicant is not his/her own guardian, the following information about the guardian is required:

Guardian's Name: \_\_\_\_\_  
First Middle Last

Day Phone: (\_\_\_\_\_) \_\_\_\_\_

Guardian's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\* If someone other than the applicant or the applicant's guardian is preparing this form, please provide the following information about the preparer:

Name: \_\_\_\_\_  
First Middle Last

Day Phone: (\_\_\_\_\_) \_\_\_\_\_

Preparer's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Authorization to Release Information

I authorize the following professional to release Porterville Transit specific information as requested. It is my understanding that the information released will be used solely to determine my ADA paratransit eligibility. I understand that I may revoke this authorization at any time. Unless revoked, this form will allow that professional listed below to release information described for six months after the date appearing below.

Applicant's Name: \_\_\_\_\_  
First Middle Last

Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_

Applicants Address: \_\_\_\_\_ Apt.# \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Applicant's Telephone Number: (\_\_\_\_) \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*Guardian's signature required if the applicant is not his/her own guardian,

Guardian's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Professional: \_\_\_\_\_ Title: \_\_\_\_\_



HAVE YOUR  
HEALTH CARE  
PROFESSIONAL  
COMPLETE THE  
REMAINDER OF THE  
APPLICATION

# DIAL-A-RIDE ELIGIBILITY APPLICATION

## PROFESSIONAL VERIFICATION

This section can only be completed by a licensed professional listed on page 1 of the instructions.

**Dear Health Care Professional:**

**The Federal Law is very specific about ADA Paratransit eligibility. You are being asked to provide information regarding this individual's disability. Eligibility is restricted to individuals who:**

- 1. As a result of their disability, cannot board, ride, or disembark from a regular fixed route bus.**
- 2. Have a specific impairment related condition which prevents them from getting to or from a bus stop.**

PLEASE NOTE: This **does not** include persons who find it **difficult** or **uncomfortable** to get to and from bus stops.

In providing information you should consider only the presence of a disability or health condition and not the applicant's age or economic status.

NOTE: You will be asked to include your credentials on page 15.

## **GENERAL INFORMATION** (Must be completed for all applicants)

Describe diagnosed disability you are currently treating this individual for and the functional limitations of this impairment:

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Date of onset \_\_\_\_/\_\_\_\_/\_\_\_\_ Date of last visit \_\_\_\_/\_\_\_\_/\_\_\_\_

How long have you worked with the individual? Since \_\_\_\_/\_\_\_\_/\_\_\_\_

Is disability temporary \_\_\_\_ or permanent \_\_\_\_?

If permanent, is disability progressive? \_\_\_\_ YES \_\_\_\_ NO

If temporary, please give best estimate of rate of recovery \_\_\_\_\_?

Do temperature extremes affect the individual? (Ex. Heat index of more than 85 degrees or wind chill less than 32 degrees) \_\_\_\_ YES \_\_\_\_ NO

If yes, how so? \_\_\_\_\_

Please list all medications

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Is this individual compliant with taking medications? \_\_\_\_\_ YES \_\_\_\_\_ NO

Can the individual currently use regular route public transportation? (all buses are equipped with wheelchair lifts) \_\_\_\_\_ YES \_\_\_\_\_ NO

Does the individual's health condition/disability require they travel with someone to assist and/or supervise them? \_\_\_\_\_ YES \_\_\_\_\_ NO

Is the individual's judgment impaired? \_\_\_\_\_ YES \_\_\_\_\_ NO

Is behavioral inhibition impaired? \_\_\_\_\_ YES \_\_\_\_\_ NO

Can the individual walk? \_\_\_\_\_ YES \_\_\_\_\_ NO

Does the individual use a wheelchair or mobility aid? \_\_\_\_\_ YES \_\_\_\_\_ NO

How long has the individual been using the device? \_\_\_\_\_

What is the maximum distance the individual is able to travel without the assistance of another person? \_\_\_\_\_ less than 1 block \_\_\_\_\_ 1-3 blocks \_\_\_\_\_ 4-6 blocks  
\_\_\_\_\_ more than 6 blocks

Is/Can/Does the individual:	Yes	No	Sometimes
A. Able to live independently?			
B. Able to seek and ask directions?			
C. Able to process information?			
D. Able to follow routines?			
E. Have basic coping skills?			
F. Have basic judgment skills?			
G. Have basic problem solving skills?			
H. Have basic orientation skills?			
I. Have any concentration limitations?			
J. Have any short or long term memory limitations?			



## VISUAL IMPAIRMENT

(Please complete if applicable to patient's disability)

Please provide visual acuity measurements and visual field readings for both eyes.

OS \_\_\_\_\_ OD \_\_\_\_\_

## EMOTIONAL/BEHAVIOR ISSUES

Does the individual experience any of the following?	Yes	No
A. Auditory hallucinations?		
B. Visual hallucinations?		
C. Delusions?		
D. Disassociation?		
Does this prevent the individual from being oriented to person, place, and time?		
Is the individual currently being treated for any of the following?		
Anxiety?		
Depression?		
Panic Attacks?		
Schizophrenia?		
Other: _____		

For anxiety panic attacks please indicate on average the frequency and length of panic attacks?

\_\_\_\_\_ per day \_\_\_\_\_ per week \_\_\_\_\_ per month \_\_\_\_\_ per year

Please provide any additional information which may assist us in determining this applicant's eligibility?

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Name of Professional: \_\_\_\_\_

License #: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Professional Signature: \_\_\_\_\_



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

Headquarters

East Building, 5th Floor, TCR  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590

November 20, 2020

Richard Tree  
Transit Manager  
City of Porterville  
61 W. Oak Avenue  
Porterville, CA 93257

RE: ADA Complementary Paratransit Specialized Review Final Report

Dear Mr. Tree:

This letter concerns the Federal Transit Administration's (FTA) ADA Complementary Paratransit Specialized Review of the City of Porterville (Porterville Transit), conducted November 12–15, 2019. Enclosed is a copy of the Final Report, which will be posted on FTA's website on our ADA page.

The FTA Office of Civil Rights is responsible for ensuring that providers of public transportation comply with the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, and the U.S. Department of Transportation's (DOT) implementing regulations at 49 CFR Parts 27, 37, 38, and 39. As part of our ongoing oversight efforts, FTA conducts a number of onsite reviews to ensure compliance with the ADA and the applicable departmental regulations. FTA uses the findings from these reviews to provide direction and technical assistance to transit agencies in order to achieve compliance with the ADA.

Unless otherwise noted, all corrective actions identified in the Final Report must be undertaken within 60 days of the date of this letter. Once we have reviewed your submissions, we will either request clarification or additional corrective action, or will close out the finding if your response sufficiently addresses the ADA requirements. Please email your responses to me at [john.day@dot.gov](mailto:john.day@dot.gov).

We appreciate the cooperation and assistance that you and your staff have provided us during this review, and we are confident Porterville Transit will take steps to correct the deficiencies. If you have any questions about this matter, please contact me at (202-366-1671, or via email at [john.day@dot.gov](mailto:john.day@dot.gov).

Sincerely,

John Day  
Program Manager  
FTA Office of Civil Rights

Enclosure

cc: Ray Tellis, Regional Administrator, FTA Region 9  
Selene Faer Dalton-Kumins, Associate Administrator, FTA Office of Civil Rights