FTA
FEDERAL TRANSIT ADMINISTRATION

The ADA and Demand Responsive Service Requirements

FTA Circular 4710.1

FTA Office of Civil Rights
March 2, 2016

U.S. Department of Transportation
Federal Transit Administration

Overview

- Background
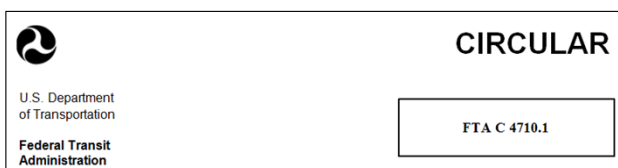- Chapter 7: Demand Responsive Service
- Questions

FTA
FEDERAL TRANSIT ADMINISTRATION

2

Circular Background

- Helps avoid oversight findings
- Contains no new requirements
- Covers 49 CFR 27, 37, 38, 39, and Facility Standards
- Provides one-stop shopping

	CIRCULAR
U.S. Department of Transportation	
Federal Transit Administration	FTA C 4710.1

3

Circular Organization: 12 Chapters

Chapter	Topic
1	Introduction and Applicability
2	General Requirements
3	Transportation Facilities
4	Vehicle Acquisition and Specifications
5	Equivalent Facilitation
6	Fixed Route Service
7	DEMAND RESPONSIVE SERVICE
8	Complementary Paratransit Service
9	ADA Paratransit Eligibility
10	Passenger Vessels
11	Other Modes
12	Oversight, Complaints, and Monitoring

4

Demand Responsive Service Is Not ADA Complementary Paratransit

- DR service for general public
  - Circular chapter 7
- ADA complementary paratransit
  - Circular chapters 8 & 9

5

Other Relevant Chapters

Chapter 1: Introduction and Applicability

- Services under contract or other arrangement

Chapter 2: General Requirements

- Lift use and securement
- Service animals and oxygen
- Personnel assistance and training
- Maintenance of accessible features
- Accessible information
- Reasonable modification of policy

Chapter 4: Vehicle Acquisition and Specifications

6

What Is Demand Responsive Service?

- Demand responsive system:
  - Transit that "is not a fixed route system"
- So what is fixed route?
  - Transit where "a vehicle is operated along a prescribed route according to a fixed schedule"

FTA

7

How Do We Determine What Is a Demand Responsive Service?

- **Whether rider must request service**
- Absence of published schedules

FTA

8

Acquisition of Demand Responsive Vehicles

- Permitted to purchase new inaccessible vehicles
  - So long as system, when viewed in its entirety, provides **equivalent service**
- Certification required

- Equivalent service exists where
  - (1) service is provided in the most integrated setting
  - (2) the level of service for individuals with disabilities is equivalent to level of service for individuals without disabilities, based on 7 service characteristics

9

Equivalent Service and Mixed Fleets

- Equivalent service requirements only apply where fleet is mixed
  - E.g. sedans and lift-equipped vans

10

Most Integrated Setting

- People with and without disabilities traveling together
  - Same vehicles
- Avoid segregating fleets

11

Equivalent Service Characteristics

- Response time
- Fares
- Geographic area of service
- Hours and days of service

- Restrictions or priorities based on trip purpose
- Availability of information and reservations capability
- Any constraints on capacity or service availability

12

Equivalent Service Characteristics

- **Response time**
- Fares
- Geographic area of service
- Hours and days of service

- Restrictions or priorities based on trip purpose
- Availability of information and reservations capability
- **Any constraints on capacity or service availability**

FTA

13

Equivalent Service: Response Time

- Same reservation requirement
  - Elapsed time from request to service

FTA

14

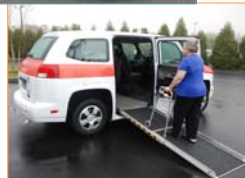## Equivalent Service: Capacity Constraints

- Trip denials
- First-come, first-served
- Waiting lists
- Trip caps
- Long ride time
- Trip-purpose restrictions or priorities

All allowed, so long as same frequency for all riders

FTA
FEDERAL TRANSIT ADMINISTRATION

15

Types of Demand Responsive Services

- Dial-a-ride
- Taxi subsidy
- Vanpool
- Route deviation

FTA
FEDERAL TRANSIT ADMINISTRATION

16

Dial-a-Ride Service

- Operate in defined area during advertised hours
  - Often suburban & rural
- Riders request a pickup time and then schedules and routes are developed
- Service equivalency

FTA
FEDERAL TRANSIT ADMINISTRATION

17

Taxi Subsidy Service

- Agency contracts with taxi company to provide service
  - User-side subsidy or provider-side subsidy
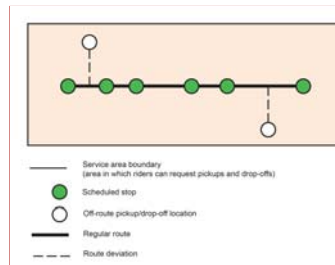- Service equivalency
  - Fares

FTA
FEDERAL TRANSIT ADMINISTRATION

18

Vanpool Service

- Voluntary commuter ridesharing arrangement
- Service equivalency
  - Joining a vanpool

FTA
FEDERAL TRANSIT ADMINISTRATION

19

Route Deviation Service

- Operates along established routes with deviations for pick up and drop off
  - Riders typically asked to request off-route pickup
- Route deviation vs. fixed route

Service area boundary
(area in which riders can request pickups and drop-offs)

○ Scheduled stop

○ Off-route pickup/drop-off location

— Regular route

- - - Route deviation

FTA
FEDERAL TRANSIT ADMINISTRATION

20

Route Deviation:
Fixed Route or Demand Responsive?

- **Non-commuter fixed route** = ADA complementary paratransit required

- **Demand responsive service** = No ADA complementary paratransit required
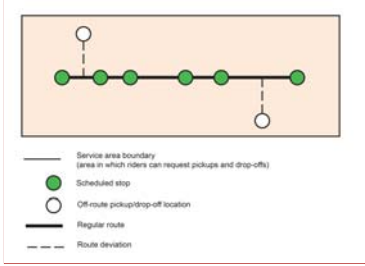
✔️   ❌

> Central question becomes:
> **Which category does route deviation fall into?**

FTA
FEDERAL TRANSIT ADMINISTRATION

21

What Makes Route Deviation
Demand Responsive?

- General public demand responsive service
  - Deviates for all
  - Publically advertised as route deviation service
  - Nondiscriminatory service

- No ADA paratransit required

FTA
FEDERAL TRANSIT ADMINISTRATION

22

Related Service Delivery Option

- Comingled fixed route and paratransit service
  - Deviates only for persons who are ADA paratransit eligible
  - Meets Subpart F requirements
    - Eligibility process
    - Service criteria
    - Origin to destination
    - Free of capacity constraints

FTA

23

Monitoring Suggestions

- Monitoring self, contractors, and subrecipients (states)
  - Local approach

- Determining equivalency
  - See Table 7-2 for suggested approaches

FTA

24

www.fta.dot.gov

Civil Rights Training Page

Us Tool

FTA
FEDERAL TRANSIT ADMINISTRATION