The ADA and Demand Responsive Service Requirements

FTA Circular 4710.1

Overview

• Background
• Chapter 7: Demand Responsive Service
• Questions
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 Organization: 12 Chapters

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Demand Responsive Service Is Not ADA Complementary Paratransit

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

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
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”

How Do We Determine What Is a Demand Responsive Service?

- Whether rider must request service
- Absence of published schedules
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

Equivalent Service and Mixed Fleets

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

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

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
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**

Equivalent Service: Response Time

- Same reservation requirement
  - Elapsed time from request to service
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

Types of Demand Responsive Services

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

Taxi Subsidy Service

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

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

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
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?

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
Related Service Delivery Option

• Commingled 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

Monitoring Suggestions

• Monitoring self, contractors, and subrecipients (states)
  – Local approach

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