

FTA

Centre Area Transportation Authority (CATA)
Fixed Route Bus Accessibility,
Equipment Maintenance, Reliability, and Use Review
Final Report
September 2015
Federal Transit Administration



U.S. Department of Transportation
Federal Transit Administration

This page has been intentionally left blank to facilitate duplex printing

Table of Contents

Executive Summary	2
1 General Information.....	4
2 Jurisdiction and Authorities	6
3 Purpose and Objectives.....	8
3.1 Purpose	8
3.2 Objectives	8
4 Introduction to CATA.....	10
4.1 Introduction to CATA Services and Organizational Structure	10
5 Scope and Methodology.....	12
5.1 Scope	12
5.2 Methodology.....	12
5.3 Stakeholder Interviews	14
6 Findings and Advisory Comments.....	16
6.1 Accessibility Equipment Specifications	16
6.2 Use of Accessibility Equipment	17
6.3 Maintenance of Accessible Features	18
6.4 Reporting Failures, Removing Vehicles from Service, Providing Alternative Transportation	19
6.5 Training	20
6.6 Complaint Resolution and Compliance Information	20
6.7 Service Under Contract with a Private Entity (if applicable)	21
6.8 Service Provided by Another Public Entity (if applicable)	21
Summary Table of Compliance Review Findings	0

Attachments

- A FTA Notification Letter to Centre Area Transportation Authority
- B CATA Response to Draft Report

This page has been intentionally left blank to facilitate duplex printing

Executive Summary

Objective and Methodology

This report reviews Centre Area Transportation Authority's (CATA's) fixed route bus service in the State College, PA metropolitan area. Its objective is to verify whether CATA is meeting its obligations under the Americans with Disabilities Act (ADA) requirements to provide service to persons with disabilities in accessible fixed route vehicles.

This compliance review included three stages:

1. Preparation: compilation of information covering policies and procedures and outreach to riders and local disability organizations
2. Site visit: a two-person review team's observation of CATA's vehicle maintenance practices, pre-trip inspections, in-service accommodation of riders with disabilities, policies and procedures for lift and securement use, complaint resolution process, training programs, and inspections of accessibility components
3. Analysis and reporting: identification of deficiencies requiring corrective actions and suggestions of effective practices in complementary paratransit service

CATA representatives are committed to operating high quality accessible fixed route bus service. CATA's fixed route service includes the following positive program elements:

Positive Program Elements

- CATA has established procedures for regular and frequent maintenance checks of accessibility equipment, which include lift and ramp components and bus kneeling mechanisms. CATA vehicle mechanics follow these procedures at regular intervals to keep lift and ramp components in operating condition.
- CATA has procedures for removing buses from service if the lift or ramp is not functioning. Drivers understand and know how to follow these procedures.
- CATA's training curriculum and procedures for retraining and follow-up appear effective and thorough.

CATA can easily correct the following administrative deficiencies to bring their program into compliance with 49 CFR Parts 27, 37, and 38:

Administrative Deficiencies

- None

CATA must address the following substantive deficiencies to bring their program into compliance with 49 CFR Parts 27, 37, and 38:

Substantive Deficiencies

- Two of CATA's four Eldorado buses do not have an operational kneeling mechanism at the rear of the bus; consequently, the slope of the ramp when deployed to the ground is approximately 1:3.3, exceeding the 1:4 maximum slope permitted when ramps are deployed to the streets. .

Please see Section 6 for a discussion of all three deficiencies. The Summary Table of Compliance Review Findings (following Section 6) lists all findings. CATA must address all deficiencies within 60 days of receipt of this report.

This page has been intentionally left blank to facilitate duplex printing

1 General Information

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

Grant Recipient:	Centre Area Transportation Authority (CATA)
City/State:	State College, PA
Grantee Number:	3054
Executive Official:	Louwana Oliva, General Manager
On-site Liaison:	Ryan Harshbarger, Director of Transportation
Report Prepared By:	the Collaborative, Inc.
Dates of Site Visit:	June 29-July 1, 2015
Review Team Members:	Bill Schwartz Jim Purdy David Chia

This page has been intentionally left blank to facilitate duplex printing

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 equipment that meets the specifications contained in 49 CFR Part 38, Subpart B. These regulations (49 CFR Parts 27, 37, 38, and 39) also include complaint handling, service, training, and equipment maintenance requirements. When accessibility equipment is out of order, a transit agency must also take reasonable steps to accommodate riders who would otherwise use the equipment.

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

This page has been intentionally left blank to facilitate duplex printing

3 Purpose and Objectives

This chapter discusses the purpose and objectives of FTA's Accessibility Equipment Maintenance, Reliability, and Use compliance reviews 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 services operated by its grantees. Compliance with all applicable requirements of the Americans with Disabilities Act (ADA) of 1990 (42 USC 12101-12213) including the DOT ADA Regulations, is a condition of eligibility for receiving Federal financial assistance.

3.2 Objectives

The primary objective of this review is to verify whether a public operator of fixed-route transit service that benefits from FTA funding is meeting its obligations under the ADA regarding accessibility equipment and its use and maintenance. This review examines the Centre Area Transportation Authority's (CATA) bus accessibility equipment and the policies, procedures and operations of the CATA's operating procedures, maintenance, training, and complaint process.

The review team observed operations and maintenance activities, and reviewed records and operating documents. To verify the accuracy of the public operator's reported information and evaluate its methodology, the review team also conducted its own independent analysis of sample data. In addition, FTA solicited comments from eligible riders and from local disability organizations.

This report summarizes 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 best practices under the ADA.

This page has been intentionally left blank to facilitate duplex printing

4 Introduction to CATA

The Centre Area Transportation Authority (CATA) of State College, Pennsylvania, has the third largest ridership of all transit agencies in Pennsylvania. CATA provides public transit services in the State College, PA metropolitan area, which includes the Borough of State College and adjoining Centre County. CATA provides fixed route bus service, complementary paratransit service, and vanpool service. Based on the FY 2013 National Transit Database (NTD), approximately 112,000 people live in the CATA area, which covers approximately 135 square miles.



For more information on CATA services, go to www.catabus.com

4.1 Introduction to CATA Services and Organizational Structure

CATA operates fixed route and complementary paratransit services daily from 4:45 a.m. to past midnight. Based on FY 2013 NTD data, average weekday bus ridership is 28,413 and annual ridership is 7,250,314.

CATA's fixed route fleet, summarized in Table 4-1, comprises 71 buses, including 66 low-floor ramp-equipped buses and five lift-equipped buses. The entire fleet uses compressed natural gas for fuel.

Table 4-1 – CATA Fixed Route Bus Fleet

Make, Year	Number	Length	Ramp/Lift
Champion, 2014	5	33'	Lift
Eldorado, 2004	4	30'	Ramp
New Flyer, 2014	12	40'	Ramp
New Flyer, 2011	10	40'	Ramp
New Flyer, 2012	18	40'	Ramp
New Flyer, 2001	10	40'	Ramp
New Flyer, 1998	4	35'	Ramp
New Flyer, 1998	6	40'	Ramp
New Flyer, 1996	2	40'	Ramp
Total	71	66 with ramps and 5 with lifts	

CATA's bus garage and vehicle maintenance facility is located at 2081 West Whitehall Road in State College. At the time of the site visit, CATA's administrative offices were temporarily located at 3075 Enterprise Drive in State College.

All fixed route drivers and vehicle maintenance staff are CATA employees.

The base fare is \$1.75. The fare for persons with disabilities is 85 cents. Senior citizens do not pay a fare. There is no fare for the four campus routes.

CATA's service levels vary appreciably in relation to the Penn State University's (PSU) academic calendar. At the time of the July 2015 site visit, CATA was directly operating 27 bus routes, with 23 of 27 routes classified as community routes and four as campus routes.

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 requirements under the ADA regarding accessibility equipment and its maintenance, reliability, and use. 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 review.

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

5.1 Scope

The review focused on whether CATA obtains, uses, and maintains accessibility equipment in compliance with the DOT ADA regulatory requirements. Specifically with regard to accessibility equipment, whether CATA's vehicles, training, maintenance, operations practices, and complaint handling meet the DOT regulatory standards.

Overall, the accessibility equipment maintenance, reliability, and use compliance review included the following regulatory requirements:

- Complaint resolution and compliance information (49 CFR §§ 27.13(b) and 27.121(b))
- Nondiscrimination (49 CFR § 37.5)
- Maintenance of accessibility features (49 CFR § 37.161)
- Reporting failures; removing vehicles from service; alternative transportation (49 CFR § 37.163)
- Lift and securement use (49 CFR § 37.165)
- Lift deployment; securement area use (49 CFR § 37.167)
- Training requirements (49 CFR § 37.173)
- Accessibility equipment specifications for fixed route buses (49 CFR Part 38, Subpart B)

Although this review does not focus directly on compliance with stop and route identification announcement requirements, the following regulatory requirements also are pertinent:

- Stop announcements (49 CFR § 37.167 (b))
- Identifying vehicles and/or passengers (49 CFR § 37.167 (c))

5.2 Methodology

The FTA Office of Civil Rights sent a notification letter on May 8, 2015, to CATA's General Manager, Ms. Louwana Oliva, confirming the time frame for the review and requesting that information be sent to the review team within 21 days of the date of the notification letter. (See Attachment A.)

Before the site visit, the review team examined the following service information:

1. CATA's system route map
2. CATA's bus routes and schedules
3. Routes that CATA directly operates (all)
4. Location of garage
5. Bus fleet inventory identifying year, make, garage, and type of accessibility features (i.e., whether each vehicle is accessible by lift or ramp, and/or whether or not low floor)

6. Description of CATA's lift/ramp maintenance practices identifying the location and individual(s) performing lift maintenance
7. CATA's current fixed route operator manuals, notices, or other documents informing operators about lift/ramp operation and maintenance policies
8. CATA's reports or other documentation regarding lift operation, maintenance and reliability monitoring activities and findings
9. List of complaints related to bus lifts/ramps and other accessibility equipment filed with CATA since the beginning of 2014

CATA made additional information available during the visit, including:

1. Copies of CATA's most recent policies, procedures and maintenance requirements regarding the use, deployment and maintenance of lifts, ramps and other accessibility equipment, and the requirement to provide alternative transportation
2. Maintenance records and reports
3. Employee discipline records

The site visit took place from June 29–July 1, 2015. The review began with an opening conference, held at June 29 at 9 a.m. at the CATA offices at 3075 Enterprise Drive in State College. As part of this meeting, the review team presented a proposed schedule for the remainder of the site visit. The following people attended the meeting:

- Louwana Oliva, General Manager, CATA
- Ryan Harshbarger, Director of Transportation, CATA
- Mark Kutzer, Maintenance Manager, CATA
- John Day, Program Manager for Policy and Technical Assistance, FTA (via telephone)
- Jim Purdy, Review Team Member, the Collaborative
- Bill Schwartz, Review Team Member, the Collaborative

Following the opening conference, the review team toured the CATA bus maintenance and operations facility located at 2081 West Whitehall Road, State College. The review team then continued discussions with CATA staff covering information sent in advance, as well as the information that was available on site, including CATA's policies and procedures to assure the reliability of vehicle lifts, ramps, and other accessibility equipment. The review team inspected two of the four bus models in CATA's fleet for compliance with the DOT ADA vehicle specifications.

The review team also visited the CATA Customer Service Center at 108 East Beaver Avenue to discuss CATA's process for recording and responding to customer complaints. Subsequently, the review team analyzed how CATA handled several years of ADA-related complaints. The review team began its driver interviews to learn more about policies, procedures, and practices regarding the use, deployment, and maintenance of lifts, ramps, and other accessibility equipment, and strategies for addressing any equipment failures.

On Tuesday June 30, the review team observed CATA's morning pullout, including drivers' pre-trip inspections. The review team completed its inspections of the remaining two vehicle types in CATA's fixed route fleet and continued its discussions with CATA's operations and maintenance personnel regarding procedures for maintaining vehicles and making repairs when accessibility equipment is inoperable. The review team also completed additional driver interviews and interviewed personnel responsible for safety and training procedures.

On Wednesday July 1, the review team observed additional morning pre-trip inspections and continued to analyze CATA-provided data on maintenance, complaints, and training. The review team also discussed CATA's methods for monitoring compliance with the service provision requirements in the DOT ADA

regulations and for implementing any disciplinary actions. The reviewers compared training materials and records with the vehicle fleet roster to confirm that drivers received additional instruction associated with new equipment.

The review team compiled its findings for the exit conference.

The exit conference took place at 2:30 p.m. at the CATA administrative offices. Attending the conference were:

- Louwana Oliva, General Manager, CATA
- Ryan Harshbarger, Director of Transportation, CATA
- Mark Kutzer, Maintenance Manager, CATA
- John Day, Program Manager for Policy and Technical Assistance, FTA (via telephone)
- Jim Purdy, Review Team Leader, the Collaborative
- Bill Schwartz, Review Team Member, the Collaborative
- David Chia, Review Team Member, the Collaborative (via telephone)

CATA was provided with a draft copy of the report for review and response. A copy of the correspondence received from CATA on September 15, 2015, documenting its response to the draft report, is included as Attachment B.

5.3 Stakeholder Interviews

Before the site visit, the review team contacted several social service agencies in State College and Centre County to attempt to identify persons with disabilities who used CATA's fixed route buses. The review team also contacted the Penn State Office for Disability Services. While the review team was able to identify one rider, the individual declined to speak with the review team.

This page has been intentionally left blank to facilitate duplex printing

6 Findings and Advisory Comments

This chapter details the findings for each of the areas pertinent to the regulations found in 49 CFR Sections 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 CATA's fixed route transportation system are provided below, 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 not comply with the DOT ADA regulations or matters, for which FTA requires additional reporting to determine whether an ADA compliance issue exists.

Findings of deficiency shall 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 best practices under the ADA or otherwise assist the entity in achieving or maintaining compliance.

6.1 Accessibility Equipment Specifications

Requirement: Under 49 CFR § 37.7, transit vehicles must comply with the standards established under 49 CFR Part 38, "Americans with Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles," in order to be accessible. Subpart B, which covers "buses, vans and systems," includes the specifications that apply to vehicles used in fixed route bus operations.

Discussion: During this compliance review, the following three deficiencies were found with CATA's accessibility equipment in terms of meeting the 49 CFR Part 38, Subpart B requirements:

1. The Eldorado buses' securement area is located under flip-up seats near the rear door; no signs identify its location or direct passengers to vacate their flip-up seats if a person using a wheelchair needs the securement area.
2. Two of the four Eldorado buses do not have an operational kneeling mechanism at the rear of the bus; consequently, the slope of the ramp when deployed to the ground was approximately 1:3.3 (30 percent). The maximum slope permitted is 1:4 (25 percent), when the ramp is deployed to the streets. The other two Eldorado buses had working rear kneelers and were able to provide a slope of 1:4.
3. CATA's New Flyer and Eldorado buses have appropriate signage over the priority seating near the front door, which advises passengers to vacate these seats to accommodate seniors and persons with disabilities. However, no front-facing seat has the proper signage, as required by Part 38.

Corrective Action Schedule: Within 60 days of the issuance of the final report, CATA must take the following corrective actions:

- Properly designate the securement area on all Eldorado buses and provide a sign that advises passengers to vacate their flip-up seats if a person using a wheelchair needs the securement area.
- Repair the rear-kneeling mechanisms on all Eldorado buses and ensure that the slope of the ramp when deployed to the street does not exceed 1:4.

- Affix priority seating signs over the first forward-facing seat on all New Flyer and Eldorado models.

6.2 Use of Accessibility Equipment

Requirement: Under 49 CFR § 37.165, transit providers must transport the wheelchair and occupant if the lift and vehicle can accommodate the wheelchair and occupant. The entity may decline to transport a wheelchair/occupant if the combined weight exceeds that of the lift specifications or if carriage of the wheelchair is demonstrated to be inconsistent with legitimate safety requirements.¹ Transit providers may determine whether or not to establish a policy requiring that wheelchairs be secured during transport.

Vehicle operators (drivers) must assist passengers in the use of the lift, ramp, and securement systems.

Under 49 CFR § 37.167, transit providers must ensure that individuals with disabilities have adequate time to complete boarding (which includes reaching a seat or securement location) or exiting the vehicle.

Transit providers must permit mobility device users to board facing forward or backward. Under Section 38.23, lifts must accommodate both inboard and outboard facing of wheelchair and mobility aid users.

Transit providers are required to permit a passenger who uses a lift or ramp to disembark from a vehicle at any designated stop, unless the lift cannot be deployed, would be damaged if it were deployed, or temporary conditions at the stop not under the control of the transit provider precludes the safe use of the stop by all passengers. The transit provider must deploy lifts or ramps for persons who do not use wheelchairs, including standees.

Vehicle operators are required to ask individuals sitting [in] a fold-down or other movable seat in a wheelchair securement location” to move for those riders with disabilities who need to use the securement area. Transit providers may adopt mandatory “move” policies.

Discussion: During this compliance review no deficiencies were found which restrict or deny the use of vehicle lifts or ramps, the transporting of wheelchairs, or any other requirements for using accessibility equipment. An advisory comment, however, is made regarding this requirement.

The review team interviewed drivers and observed the pre-trip inspections the drivers performed. The review team was not able to arrange a ride-along with a passenger who uses a wheelchair to make any in-service observations.

The driver interviews indicated that all drivers received appropriate training. (See Section 6.5.) Drivers described in detail policies and procedures for boarding passengers using wheelchairs and three-wheel scooters and explained the circumstances—such as the absence of sidewalks or safe lighting—in which they deploy lifts or ramps to the street. Drivers understood the need to cycle the ramps or lifts during pre-trip inspections, and they described what to do if their ramps or lifts malfunction. They also explained how to ensure persons with disabilities get priority seating when all seats are occupied.

During the first day of pre-trip observations, two review team members observed drivers from within and near the buses. The reviewers observed that ten out of 11 drivers cycled the kneelers and ramps on their buses, and both lift-equipped bus drivers cycled their lifts. Only four out of 13 drivers checked the

¹ “Legitimate safety requirements” is an objective factor (not subjective) and applies solely in the context of accommodating mobility devices that exceed the minimum requirements for vehicles and equipment. Appendix D to §37.165 provides the example of a wheelchair of a size that would block an aisle and interfere with the safe evacuation of passengers in an emergency. Speculation that a particular wheelchair may be difficult to accommodate is not a basis for making such a determination; if a lift appears to be straining under a weight that is within its design load, vehicle age or maintenance practices may be a factor.

functionality of their securements (by lifting the seat and pulling out the securement straps on the ramp-equipped buses or checking that all straps were present on the lift-equipped buses).

During the second day of pre-trip observations, the reviewer did not board the buses while the drivers went through their checklist; instead, he observed pre-trip inspections from distance. On this second day, eight out of 12 drivers cycled their ramps and kneelers, and one of the three drivers assigned to lift-equipped buses cycled their lifts.

Advisory Comment: Drivers can typically resolve in-service failures of ramps by manually deploying them. However, if a kneeler does not work, the ramp angle may be steeper than permitted by the Part 38 specifications. To ensure all drivers properly cycle their kneelers and ramps or their lifts before leaving the garage, an effective practice is to have supervisors observe pre-trip inspections.

6.3 Maintenance of Accessible Features

Requirement: Under 49 CFR § 37.161, transit agencies must maintain lifts, ramps, securement systems, public address systems, and other accessibility-related equipment such as elevators, stop announcement/route identification systems, etc., in operating condition. If damaged or out of order, this equipment must be repaired promptly. When equipment is out of order, a transit agency must also take reasonable steps to accommodate riders who would otherwise use the equipment. In addition, 49 CFR § 37.163 requires transit agencies to have in place a system of regular and frequent maintenance checks of vehicle lifts sufficient to determine whether they are operative.

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 compliance review no deficiencies were found with the requirements concerning maintenance of accessibility features.

The review team interviewed CATA's director of transportation, the maintenance manager, and eight drivers. CATA has an established procedure for regular and frequent maintenance checks: they schedule preventive maintenance (PM) for each bus every 6,000 miles, with more extensive PMs at 12,000 and 24,000 miles. They regularly check lift or ramp system parts and the bus kneeling mechanism to maintain components in operating condition. The manager of maintenance provided printed records of the maintenance schedule to substantiate that CATA has been performing the PMs within 500 miles before or after each milestone for each bus.

Maintenance personnel told the review team that they strive to immediately resolve any problems the drivers report during their pre-trip inspections, allowing the buses to pull out with their accessibility features in working order.

If problems are not immediately resolved, the pre- and post-trip procedures require the drivers to report any problems (whether or not related to accessibility) on a vehicle deficiency form (on paper) by placing the form in a pole-mounted inbox in the bus garage. The review team observed drivers doing this during pre-trip inspections.

During PSU's academic year, the peak pullout is 59 vehicles. CATA's 71-vehicle fleet provides a spare ratio of 20 percent, which is regarded as acceptable in the industry.

If a driver reports a deficiency on the pre-trip inspection form, CATA maintenance personnel assign the vehicle for immediate maintenance. Interviewed drivers said that maintenance personnel repaired problems promptly.

The maintenance manager stated that the in-house maintenance staff resolves problems with lifts or ramps without needing outside contractors.

The director of transportation provided a spreadsheet of all maintenance work orders involving accessibility equipment for the period from July 2014 through June 2015. The database report included 887 maintenance work orders. Of these, all but two work orders were for preventive maintenance. The average time to close a work order was 1.6 days, and 97 percent of the work orders were closed in three days. Many of the longer jobs involved work orders opened before a weekend and closed after the same weekend.

6.4 Reporting Failures, Removing Vehicles from Service, Providing Alternative Transportation

Requirement: Under 49 CFR § 37.163, transit agencies must ensure that vehicle operators immediately report to operations headquarters any failure of a lift or ramp to operate in service. When the transit agency learns that a lift/ramp has malfunctioned or is inoperable, the transit agency must take the vehicle out of service before the beginning of the vehicle's next service day and ensure that the lift/ramp is repaired before the vehicle returns to service. If the transit agency has no spare vehicle available to take the place of a vehicle with an inoperable lift/ramp, such that taking the vehicle out of service will reduce the service the transit agency is able to provide, the agency may keep the vehicle in service with an inoperable lift/ramp for no more than five days (if serving an area of 50,000 or less population) or three days (if serving an area of over 50,000 population) from the day on which the device is discovered to be inoperative.

In any case in which a vehicle with an inoperative lift/ramp operates on a fixed route, and the headway to the next accessible vehicle on the route exceeds 30 minutes, the transit agency must promptly provide alternative transportation to individuals with disabilities who are unable to use the vehicle because its lift/ramp does not work. Appendix D to 49 CFR § 37.163 provides examples of how this service can be provided, such as by having an accessible vehicle "shadow" the bus with the inoperative lift/ramp or by dispatching an accessible vehicle with a short (i.e., less than 30-minute) response time.

Discussion: During this compliance review no deficiencies were found with reporting of accessibility equipment failures, removing vehicles with malfunctioning equipment from service, or providing alternative transportation when lifts are inoperable.

CATA's "Bus Operator's Handbook" (page 9) provides the following directions to operators whose buses are unable to board individuals with disabilities — whether or not the circumstance is due to equipment issues:

If you are unable to board a passenger that falls within in the ADA guidelines, but would otherwise be able to board other passengers, RADIO DISPATCH IMMEDIATELY. The ADA passenger must receive service within 30 minutes of the unavailable bus.

The 30 minute rule for pickup also applies if the lift or ramp is not functioning or if there are any malfunctions with ADA securement equipment. If issues arise you must RADIO DISPATCH IMMEDIATELY. The ADA passenger must receive service within 30 minutes of the unavailable bus.

Interviewed drivers said they understood the requirements and CATA's policies. Drivers explained that on routes with headways of less than 30 minutes, they advise passengers that cannot board, that they will communicate with the dispatcher, and that another bus will pick them up. The drivers and maintenance manager explained that this happens primarily on routes with headways of 11 minutes or less. On a route with longer headways, including those with headways of 30 minutes or longer, dispatchers are required to immediately call the maintenance department, which sends a mechanic with a properly equipped vehicle to transport the passenger. CATA is usually able to provide such alternative transportation within 30 minutes of the driver reporting the issue.

6.5 Training

Requirement: Under 49 CFR § 37.173, each public or private entity which operates a fixed route or demand responsive system must ensure that employees are trained to proficiency in the safe and proper operation of vehicles and equipment and in the proper assistance and treatment of riders with disabilities. Training must be specific to the tasks performed by the individual and should include both proficiency and sensitivity. Training for operators, dispatchers, maintenance staff and operations managers, as well as other personnel, must cover the ADA regulatory requirements and transit agency policies and procedures for ensuring compliance. Operators must be thoroughly trained in the proper operation of all accessibility equipment and in the appropriate treatment of riders with disabilities.

Discussion: During this compliance review, no deficiencies were found with the requirement to train personnel to proficiency. An advisory comment is made regarding the use of a scooter in securement training.

According to CATA's Safety Trainer/Manager, CATA uses the TAPCO system, which includes an ADA compliance module. This system also includes an online training component, including customer service training, organized through the Pennsylvania Public Transit Association. New drivers with Commercial Driver's Licenses (CDLs) receive six weeks of training. Those without CDLs receive seven weeks of training. CATA also uses a safety-training program organized by their insurance vendor.

Equipment training includes two hours of time, in groups of four, to cover each of CATA's four vehicle types, including the lift-equipped vehicles. At the time of the site visit, CATA's securement training program used wheelchairs, but not scooters. Several of the drivers the review team interviewed indicated they would benefit from practicing securements with scooters.

CATA holds annual training every August before the start of the Penn State academic year. This retraining covers all driver topics (routes, sensitivity, ADA, safety, policies, etc.). Interviews with drivers confirmed that the training and retraining program is well organized.

Advisory Comment: To ensure vehicle operators are fully trained in securing mobility devices, an effective practice is to include various devices such as scooters in new driver training.

6.6 Complaint Resolution and Compliance Information

Requirement: Under 49 CFR § 37.5, transit agencies must not discriminate 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. The agency must provide service to persons with disabilities in the most integrated setting possible. Discriminatory practices include and are not limited to requiring the use of alternate transportation services rather than fixed route service; requiring persons with disabilities to be accompanied by an attendant; imposing special charges upon people with disabilities; and requiring people with disabilities to use designated priority seating.

Under 49 CFR § 27.13(b), the transit agency must have administrative procedures in place that incorporate appropriate due process standards and provide for the prompt and equitable resolution of complaints. 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.

Note: While requirements to respond to complainants are not included in the DOT ADA regulations, it is a common and effective practice for a transit agency to respond to complainants and for transit agencies to investigate allegations to ensure that all DOT ADA requirements are being met. If the transit agency has not established these policies and procedures, review team members shall include them as advisory comments.

Discussion: During this compliance review no deficiencies were found with the requirement to resolve complaints promptly and equitably and keep records of complaint summaries on file, or with how the transit agency communicates its complaint policies and procedures to customers.

CATA tracks ADA complaints separately and keeps detailed records in an electronic database. In addition, CATA promptly resolves complaints and responds to complainants who request such responses.

6.7 Service Under Contract with a Private Entity (if applicable)

Requirement: Under 49 CFR § 37.23, the transit agency must ensure that any private entity with which it has entered into a contract or other arrangement to provide service meets all the obligations of the DOT ADA regulations, including those for service provision, maintenance, and vehicle or equipment acquisition, that the transit agency would be required to meet, if it provided the service directly. The transit agency must have policies and procedures in place to monitor the performance of its contractor(s) and ensure that these requirements are met. The transit agency must not neglect monitoring or limit its monitoring to the terms and conditions of its contract or other arrangement with the private entity or entities.

Discussion: This requirement is not applicable as CATA operates all fixed route services in house.

6.8 Service Provided by Another Public Entity (if applicable)

Requirement: Part 37 of title 49, Code of Federal Regulations, 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 Part 37 is a condition of section 504 of the Rehabilitation Act of 1973 and of receiving financial assistance. Where a transit agency relies on another public entity to provide service on its behalf, the transit agency remains responsible for meeting the requirements of 49 CFR Part 37.

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

Discussion: This requirement is not applicable as CATA operates all fixed route services in house.

Summary Table of Compliance Review Findings

Item	Requirement of 49 CFR Part 27 or 37 or 38	Reference	Site Visit Finding deficiency/no deficiency or advisory comment	Finding(s) of Deficiency	Response Days/Date
1	Accessibility Equipment Specifications	38 Subpart B	3 deficiencies	<p>Eldorado buses had no sign identifying the securement area and stating that passengers in the flip-up seats will be asked to vacate them if a person using a wheelchair needs the securement area.</p> <p>Eldorado buses did not have an operational kneeling mechanism at the rear of the bus; consequently, the slope of the ramp when deployed to the ground exceeded maximum slope permitted (1:4) when the ramp is deployed to the street surface.</p> <p>Eldorado and New Flyer buses did not have priority seating signage adjacent to the first forward facing seat.</p>	60/11-27-15
2	Use of Accessibility Equipment	37.165, 37.167	No deficiencies 1 advisory comment		
3	Maintenance of Accessible Features	37.161, 37.163	No deficiencies		
4	Reporting Failures, Removing Vehicles from Service, Providing Alternative Transportation	37.163	No deficiencies		
5	Training	37.173	No deficiencies 1 advisory comment		

Item	Requirement of 49 CFR Part 27 or 37 or 38	Reference	Site Visit Finding deficiency/no deficiency or advisory comment	Finding(s) of Deficiency	Response Days/Date
6	Complaint Resolution and Compliance Information	27.13(b), 27.121(b), 37.5	No deficiencies		
7	Service Under Contract with a Private Entity (if applicable)	37.23		Not applicable	
8	Service Provided by Another Public Entity (if applicable)	37.21(b)		Not applicable	

Attachment A
FTA Notification Letter to Centre Area
Transportation Authority



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

Headquarters

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

May 18, 2015

Ms. Louwana Oliva
General Manager
Centre Area Transportation Authority
108 East Beaver Avenue
State College, PA 16801

Dear Ms. Oliva:

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 at 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 a number of on-site ADA compliance reviews of grant recipients.

The purpose of this review will be to determine whether CATA is meeting its obligations applicable to the maintenance, reliability, and usage of accessibility equipment in accordance with the requirements contained in Subpart G of 49 CFR Part 37, and other related requirements contained in 49 CFR Parts 27, 37 and 38.

The review process includes data collection before the on-site visit, an opening conference, an on-site review of fixed route bus lift/ramp and maintenance reliability, and an exit conference. The reviewers will complete the on-site portion of the review within a four-day period. FTA has engaged the services of the Collaborative, Inc. (the Collaborative) of Boston, Massachusetts, to conduct this compliance review. The Collaborative team and FTA representatives will participate in the opening and exit conferences, with FTA participating by telephone.

We request your attendance at an opening conference scheduled at **9 a.m. on Monday, June 29, 2015**, to introduce the Collaborative team and FTA representatives to CATA. Attendees should include you or your designee, the fleet 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 CATA's liaison with the review team and will coordinate the on-site review and address questions that may arise during the visit.

So that we may properly prepare for the site visit, we request that you provide the information described in Enclosure 1, which consists of items that the review team must receive within 21 days of the date of this letter. Please forward these materials to the following contact person:

David Chia
The Collaborative, Inc.
122 South Street
Boston, MA 02111
617-338-0018 x17
dc@thecollaborative.com

FTA requests your attendance at an exit conference scheduled for **1 p.m. on Thursday, July 2, 2015**. 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 fleet 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 a Draft Report. You will have an opportunity to correct any factual errors before FTA finalizes the report. The Draft and Final Report, when issued to CATA, will be considered a public document subject to release under the Freedom of Information Act, upon request.

CATA representatives are welcome to accompany the review team during the on-site activities, if you so choose. If you have any questions or concerns before the opening conference, please contact Anita Heard, Program Manager for this compliance review, at 202-493-0318 or via e-mail at anita.heard@dot.gov.

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

Sincerely,



John Day
ADA Team Leader

cc: Reggie Lovelace, FTA Region 3 Acting Administrator
Stacie Parkins, FTA Region 3 Civil Rights Officer

Centre Area Transportation Authority
Fixed Route Lift Maintenance Compliance Review

Enclosure 1

You must submit the following information to the Collaborative contact person within 21 calendar days from the date of this letter.

1. Three copies of the most recent CATA system route map.
2. A complete set of current detailed CATA route schedules.
3. Identify which routes you directly operate and which routes a private contractor operates.
4. Identify the location of each of your garages and which routes/areas each garage serves.
5. A bus fleet inventory identifying for each bus the model year, make, bus garage, and accessibility equipment, including whether the system uses low-floor buses and to what extent.
6. A description of your lift/ramp maintenance practices, including the entity performing lift/ramp maintenance and its location.
7. Current Fixed Route Operator Manual/s, notices, bulletins, memoranda, or other documentation informing vehicle operators of lift/ramp operation and maintenance policies.
8. Copies of CATA's reports, memoranda, or other documentation that involve lift/ramp operation and maintenance monitoring activities and findings.
9. A list of complaints related to lift/ramp operations since the beginning of 2014. The list should include customer's name, trip origin, date and type of complaint, carrier, and resolution (any corrective actions requested and taken).

Attachment B
CATA Response to Draft Report



September 15, 2015

Mr. John Day
FTA
East Building, 5th Floor, TCR
120 New Jersey Ave., SE
Washington, D.C. 20590

RE: Centre Area Transportation Authority Response to Lift Review Draft Report

Dear Mr. Day:

Thank you for the opportunity to review the Draft Report of CATA's FTA Lift Review. The following are the requests we have for corrections to the factual information contained in the report:

Page 20, Section 6.5, Discussion; third paragraph:

We request that the fact that CATA's annual training does include the use of a scooter be added.

Summary Table: # 3:

This table references an advisory comment for Maintenance of Accessible Features, however, no advisory comment is included in that section of the draft.

We look forward to receiving the final report, and reporting on the corrective measures we have taken to address the deficient findings.

Sincerely,

A handwritten signature in blue ink, reading "Louwana S. Oliva".

Louwana S. Oliva
General Manager

Pc Reggie Lovelace, FTA Region 3 Acting Administrator
Staci Parkins, FTA Region Civil Rights Officer
David Chia, The Collaborative, Inc.
Ryan Harshbarger
Mark Kutzer
Chris Jordan