



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

Headquarters

1200 New Jersey Avenue S.E.
Washington DC 20590

FEB 07 2012

Mr. Randy Hume
Director
Fayetteville Area System of Transit
455 Grove Street
Fayetteville, NC 28301, (910) 433-1747

Dear Mr. Hume:

Thank you for your responses to the Federal Transit Administration's (FTA) ADA Review of Lift Reliability and Maintenance for Operation of Fixed Route Bus Service of the Fayetteville Area System of Transit (FAST), conducted from March 22-25, 2010. During the review, you were informed that FTA would issue a draft report of the findings, on which FAST would have an opportunity to provide comment, following which a final report would be released.

Upon receiving FAST's comments to the draft report on November 14, 2011, which included information on changes in personnel and updates on operational practices and its vehicle fleet, this report is now considered a Final Report. A copy so marked is enclosed for your records. As of the date of this letter, the Final Report became a public document and is subject to dissemination under the Freedom of Information Act of 1974.

FTA recognizes that it has been close to two years since our onsite review and that changes have likely occurred in FAST's transit program. We appreciate the cooperation and assistance that you and your staff have provided us during this review. A corrective action plan will be developed in consultation with FAST, and FTA will work diligently with FAST to ensure compliance with DOT ADA regulations.

Contained within this letter is a summary of the findings of noncompliance made in the report. In order to expeditiously close-out your review and release FAST from the corrective action phase, please inform FTA within 30 days of the corrective actions FAST will undertake in response to the findings. When providing proposed corrective actions, include the planned and actual completion date of the corrective action, the current status and contact person for each corrective action, and all supporting documentation.

FINDINGS:

Customer Complaints and Comments

1. FAST did not systematically record complaints and retain these records. In addition, the complaint records that existed did not consistently document the action taken in response to the complaint or indicate if FAST notified the complainant of the outcome. To meet

its obligations under Section 27.121(b) of the DOT ADA regulations, FAST must retain copies of all complaints for one year and summaries of all complaints for five years.

Use of Buses with Inoperable Lifts

1. On several occasions from March to September 2009, FAST placed into service buses that were listed on its daily Vehicle Operational Status Sheet as having lift problems. These buses did not have open repair orders but were known to have unreliable lifts based on their repair records. This appears to have been a practice when spare buses with working lifts were unavailable up until early fall 2009 when new vehicles replaced some of the buses with chronic lift problems. Placing such buses in service for more than three days or when a spare bus is available is a violation of DOT ADA regulations Section 37.161(e).

Bus Operations

1. FAST does not have a written procedure regarding provision of alternative transportation in cases where an in-service lift failure occurs and headways exceed 30 minutes. This practice is required by 49 C.F.R. 37.163(f) of the DOT ADA regulations, and is particularly important in a system where most headways are 60 minutes. To meet its obligations under Sections 37.163(f) and 37.173 of the DOT ADA regulations, FAST must develop a procedure for the provision of alternative transportation and ensure that drivers are trained to proficiency on it.

Vehicle Specifications

The vehicles in FAST's fleet comply with DOT ADA specifications except as noted.

1. On the Nova model year (MY) 1999 buses:
 - The handrail height on the lift platform ranges from 28.5 to 30 inches; under DOT ADA regulations at 49 C.F.R. Section 38.23(b)(13), the allowable range is 30 to 38 inches. On the 1999 Nova buses, FAST should adjust the handrail on the lift platform to a proper height of 30 to 38 inches.
 - The priority seating sign is a card mounted in the advertising band but is not located over a front-facing seat; under DOT ADA regulations at 49 C.F.R. Section 38.27(a) at least one front-facing seat must be so designated. On the 1999 Nova buses, FAST should place a priority seating sign adjacent to the most forward front-facing seat,
 - Although the vehicle chosen for inspection had operable front and side destination signs consistent with DOT ADA regulations at 49 C.F.R. Section 38.39, similar vehicles were observed during pullouts with a non-illuminated sign on the side. FAST should make sure that the front and side destination signs are working properly on the 1999 Nova buses.

Please provide your response within 30 days of this letter.

Should you have any questions about the enclosed report or this letter, please contact Mr. Aaron Meyers of my staff at (202) 366-3055 or via email at aaron.meyers@dot.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'John R. Day', with a stylized flourish extending from the end.

John R. Day
ADA Team Leader
FTA Office of Civil Rights

Enclosure

cc: Linda Ford, Acting Director, FTA Office of Civil Rights
Yvette G. Taylor, FTA Region IV Administrator
Monica McCallum, Regional Operations Division Chief, FTA Office of Civil Rights
Jimmy Moore, Regional Civil Rights Officer, FTA Region IV
David Chia, Planners Collaborative