

**Regional Transportation District
Denver, Colorado**

**ADA Complementary Paratransit Service
Compliance Review**

August 31–September 4, 2009

Summary of Observations

**Prepared for
Federal Transit Administration
Office of Civil Rights
Washington, DC**

**Prepared by
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With
TranSystems Corporation**

Final Report: February 6, 2012

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Attachment C	On-Site Review Schedule
Attachment D	Maps of Access-A-Ride Trips in the 16 th Street Shuttle Corridor
Attachment E	Rider's Guide Excerpts (Types of Conditional Eligibility)
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1 Purpose of the Review

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 six service criteria that must be met by ADA complementary paratransit service programs. Section 37.135(d) of the regulations requires that ADA complementary paratransit services meet 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. As part of its oversight efforts, FTA, through its Office of Civil Rights, conducts periodic reviews of fixed route transit and ADA complementary paratransit services operated by Federal grantees.

The purpose of these reviews is to assist the transit agency and FTA in determining whether capacity constraints exist in ADA complementary paratransit services. The reviews examine policies and standards related to service capacity constraints such as those measured by on-time performance, on-board travel time, telephone hold times, trip denials, and any other trip-limiting factors. The reviews consider whether there are patterns or practices of a substantial number of trip limits, trip denials, early or late pickups or arrivals after desired arrival or appointment times, long trips, or long telephone hold times, as defined by the transit system's established standards or typical practices if standards do not exist. The examination of patterns or practices includes looking at service statistics and basic service records and operating documents, and observing aspects of service delivery and operations including dispatch, reservations and scheduling to determine whether records and documents appear to reflect true levels of service delivery. Comments are solicited from local disability organizations and customers. Technical assistance is provided to assist the transit agency in monitoring service for capacity constraints.

FTA conducted a review of ADA complementary paratransit service provided by the Regional Transit District (RTD) of Denver, Colorado from August 31–September 4, 2009. Planners Collaborative, Inc., and TranSystems, Inc., both located in Boston, Massachusetts, conducted the review for the FTA Office of Civil Rights. The review focused primarily on compliance of RTD's ADA complementary paratransit service with the requirement in the DOT ADA regulations that this service be operated without capacity constraints (49 CFR §37.131).

Sections 37.123 through 37.127 of the DOT ADA regulations require that a process be established for determining who is ADA paratransit eligible and that eligibility determinations are made consistent with regulatory criteria. Section 37.129(a) requires that ADA complementary paratransit be origin-to-destination service. Section 37.131(a) requires that ADA complementary paratransit service be provided between origins and destinations within 3/4 of a mile of fixed bus routes and between points within a 3/4-mile radius of two different rail stations. Section 37.131(b) requires that next-day service be provided. Section 37.131(c) limits ADA complementary paratransit fares to no more than twice the full fixed route fare for a comparable trip. Section 37.131(d) requires that ADA complementary paratransit service be provided without restrictions or priorities based on trip purpose. Section 37.131(e) requires that ADA complementary paratransit service be provided during all days and hours that fixed route service is provided. Section 37.139(g) requires that complementary paratransit plans address efforts to

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coordinate with other public entities that have contiguous or overlapping ADA complementary paratransit service areas.

The review also examined RTD's ADA complementary paratransit service with respect to the requirements related to eligibility determinations, rider assistance policies, and ADA complementary paratransit service criteria.

This report summarizes the observations and findings of the on-site review of RTD's ADA complementary paratransit service. Chapter 2 explains the approach and methodology used to conduct the review. Chapter 3 then describes key features of transit services provided by RTD—fixed route bus and ADA complementary paratransit service. Chapter 4 summarizes the findings that are also presented at the end of the remaining chapters. Chapter 5 includes observations and findings related to rider assistance policies, service area, fares, trip purposes, days and hours of service, and coordination with other public transit entities. Observations and findings related to the eligibility determination process are presented in Chapter 6. Observations and findings related to the capacity constraint prohibition, as well as additional observations on response time, are then presented in Chapters 7-10 on telephone service, reservations, service performance, and resources. Recommendations for addressing some of the findings are also provided.

RTD was provided with a draft copy of the report for review and response. A copy of the correspondence received from RTD on January 9, 2012, documenting their response to the draft report, is included as Attachment A (Included in the Final Report).

2 Overview

This review focused primarily on compliance with the DOT ADA requirement that ADA complementary paratransit be operated without capacity constraints. The regulations identify several possible types of capacity constraints. These include waiting lists for trips, limits on the number of trips provided, and patterns or practices that result in a significant number of trip denials missed trips, untimely pickups, or excessively long trips. Capacity constraints also include any operating policies or practices significantly limit the amount of service to persons who are eligible for ADA complementary paratransit.

To assess each of these potential types of capacity constraints, the review focused on observations and findings regarding:

- Trip denials and wait-listing of trips
- Trip caps
- On-time performance
- Travel times

This review also includes observations and findings related to five other sets of policies and practices that could affect access to ADA complementary paratransit service:

- Rider assistance policies
- Service area, response time, fares, trip purposes, and service times
- Efforts to coordinate with other ADA complementary paratransit services in the area
- ADA complementary paratransit service eligibility process
- Telephone capacity

The review also addresses scheduling, dispatching, operation of service and an analysis of resources as a potential contributor to capacity constraints.

2.1 Pre-Review

The FTA Office of Civil Rights sent a notification letter to Mr. Cal Marsella of RTD on July 17, 2009, confirming dates for the review and requesting that information needed by the review team be sent in advance of the review. The notification letter is provided in Attachment B.

Based on the information received from RTD, the review team examined key service information prior to the visit. This information included:

- A description of how RTD's ADA complementary paratransit service is structured
- Public information describing RTD's ADA complementary paratransit service
- RTD's standards for on-time performance, trip denials, travel times, and telephone service

As requested by FTA, RTD made additional information available during the visit. This information included:

- Copies of completed driver manifests for recent months
- Six months of service data, including the number of trips requested

- Records of recent consumer comments and complaints related to capacity issues: trip denials, on-time performance, travel time, and telephone access
- Procedures for passenger service reports reporting complaints and other incidents
- A listing of vehicles in the RTD fleet
- A listing of paratransit employees and their starting dates
- Capital and operating budgets and cost data

In addition, the review team contacted several riders, disability advocates, and disability agency staff to get comments on their experiences with RTD's ADA complementary paratransit service.

2.2 On-Site Review

An on-site review of the ADA complementary paratransit service took place from August 31–September 4, 2009. The on-site review began with an opening conference, held at 9 a.m. on Monday August 31 at the RTD offices at 1560 Broadway in Denver. The following people attended the meeting:

Bruce Abel	Assistant General Manager
Martha Hecox	RTD
Larry Buter	RTD
Russell Thatcher	TranSystems (team leader)
Thomas Procopio	TranSystems
Jim Purdy	Planners Collaborative
Susan Clark	FTA's Office of Civil Rights (via telephone)

Ms. Clark opened the meeting by thanking RTD for opening its office and operations to the review. She stressed that the review team would make every effort to complete the review with as little disruption to the RTD operation as possible. She also invited RTD staff to contact her directly should they have any questions or concerns about the review. Ms. Clark stated that the main purpose of the review was to assess compliance with the ADA requirements. She also stated that the review team had significant experience with ADA complementary paratransit operations and encouraged RTD to utilize the review team for technical assistance.

Ms. Clark stated that FTA sees the compliance reviews not just as a way to assess RTD's operation of services, but also as an opportunity to determine if RTD has the resources it needs. She mentioned that preliminary findings would be provided at a closing meeting on Thursday, September 3. She encouraged RTD to ask questions about the preliminary findings and possible approaches for addressing any issues that might be identified.

Russell Thatcher then presented the schedule for the on-site review, including the parts of the operation that would be observed each day. A copy of the review schedule is provided in Attachment C.

Following the opening conference, the review team met with RTD staff to discuss the information sent in advance as well as the information and material that was available on site. RTD policies and procedures were discussed.

For the remainder of the morning on August 31, the review team discussed the process in place at RTD to record and respond to rider comments. Rider comments from recent months were compiled. The review team also began gathering information about the process used by RTD to

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plan and budget for ADA paratransit services. Finally, the review team gathered information needed to analyze compliance with the ADA paratransit requirements related to service area, fares, days and hours of service, and rider assistance policies.

In the afternoon of August 31, the review team toured the RTD Access-A-Ride call center at 1560 Broadway. The review team then gathered information about call center staffing levels, the design of the telephone system, and recent telephone performance. The review team also began observing the process used to take ADA paratransit trip requests.

In the morning of Tuesday September 1, the review team continued its observations of the trip reservations and initial scheduling process. The review team sat with selected reservation agents, listened to calls from riders, and recorded observations on the handling of trip requests. The review team met with the lead scheduler to discuss RTD's procedures to develop final runs. Special data reports on on-time performance and travel times were also prepared with the assistance of RTD staff. The review team also began examining completed driver manifests as a part of on-time performance verification. Finally, the review team began the process of examining long paratransit trips and comparing on-board travel times with those on the fixed route service.

In the afternoon of September 1, the review team observed the dispatch area during the peak hours of operation. Drivers were also interviewed as they returned from morning runs. The review team also met with the RTD staff that manages the ADA paratransit eligibility determination process and began reviewing recent eligibility determination files.

On Wednesday September 2, the review team visited MV Transportation (MV), one of the contracted service providers. Driver workforce records, training, and turnover were examined. Fleet information, daily vehicle availability, and operating spare ratios were also reviewed. Pullout records and run coverage were also examined. Selected operations staff and several drivers were also interviewed.

In addition, on Wednesday September 2, the review team visited the offices of Easter Seals of Colorado at 5755 W. Alameda Ave., the contractor assisting RTD with ADA paratransit eligibility determinations. The process used to conduct interviews and in-person functional assessments was reviewed.

In the afternoon of September 2, the review team continued its examination of on-time performance, on-board travel times, and eligibility-determination records. No-show policies and information about the tabulation of rider no-shows were also reviewed. The dispatch area of the call center was also observed a second time.

On Thursday September 3, the review team visited the operations of the other three contracted service providers (Special Transit, Coach USA, and Global Transportation). Both Special Transit garages, at 4880 Pearl Street in Boulder and at 6500 Franklin St. in Denver were visited. At each location, driver workforce records, training, and turnover information was collected. Fleet information, daily vehicle availability, operating spare ratios, pullout records, and run coverage were also examined. Operations staff and several drivers were also interviewed. Additional observations were also made in the dispatch area of the call center.

On Friday morning September 4, the review team tabulated the various data that had been gathered and prepared for the exit conference.

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The exit conference took place on Friday, September 4, at 2 p.m. at the RTD office. The following people attended the meeting:

Phillip Washington	Interim General Manager, RTD
Bruce Abel	RTD
Martha Hecox	RTD
Larry Buter	RTD
Russell Thatcher	TranSystems (team leader)
Thomas Procopio	TranSystems
Jim Purdy	Planners Collaborative
Susan Clark	FTA's Office of Civil Rights (via telephone)

Ms. Clark reiterated that the goals of the review were to assess compliance and to provide technical assistance on ADA complementary paratransit services. She stated that a copy of the draft report will be provided to the RTD for review and comment. Once the draft is transmitted to the RTD, the report would be subject to release in response to Freedom of Information Act (FOIA) requests. RTD's comments on the draft would be incorporated into a final report, and the final report will be posted on FTA's website.

Ms. Clark advised that the RTD will be required to respond to the findings presented in the draft report. Recommendations, which do not require a response, will be offered as suggestions for addressing the findings and the RTD may consider the recommendations in developing responses to the findings.

Those findings that require corrective action will be presented in a reporting table for the RTD to use in reporting proposed corrective actions and a timetable for making required changes. The RTD will then prepare follow-up progress reports for FTA review until FTA releases RTD from follow up reporting.

Ms. Clark encouraged the RTD to begin addressing findings discussed during the on-site review while awaiting the draft and final reports. She also invited RTD staff to contact FTA or the review team for technical assistance over the next several months if they decided to move ahead with corrective actions.

The review team also thanked the RTD for the cooperation they had provided throughout the week. They then presented initial findings in each of the following areas:

- Service design (rider assistance policies, service area, response time, fares, trip purposes, days and hours, and coordination)
- Eligibility determinations
- Telephone access
- Handling of trip requests
- On-time performance
- Trip duration
- Resources (vehicles, personnel, and financial planning and budgeting)

Mr. Washington thanked FTA and the review team for conducting the review and for providing RTD with information and recommendations for its ADA paratransit service.

3 Background

The Regional Transit District (RTD), a regional authority created by the Colorado General Assembly in 1969, oversees the provision of public transportation services in a six-county area (plus two city/county jurisdictions) that includes the Cities of Denver and Boulder as well as 40 other municipalities. RTD's responsibilities include overseeing and administering fixed route bus service, light rail service, and ADA complementary paratransit service.

Based on 2007 National Transit Database information, RTD's service area covers 2,326 square miles and serves a population of 2,619,000 persons. In 2007, RTD provided over 94 million one-way rides on the various modes of service with approximately 320,000 boardings each weekday. Operating expenditures for all services in 2007 was \$367,556,036.

RTD provides and operates both fixed route bus and light rail service. Bus service is provided with a fleet of approximately 1,039 buses. Approximately 862 buses are used in peak-hour operation on 165 routes, 72 of which are local routes, 24 are express routes, 31 are regional or limited-service routes, and 33 are local community or circulator/feeder routes. RTD also operates five "skyRide" routes that serve the Denver International Airport from approximately 23 designated stops throughout the area. Several of RTD's bus routes are operated up to 24 hours a day. Many other routes have first pickups between 4–5 a.m. and operate until midnight or later.

RTD also operates 35 miles of light rail service using 117 light rail cars and serving 37 stations in the Denver area. The light rail service operates almost 24 hours a day (from 3:46 a.m. until 2:43 a.m.).

One-way, non-discounted cash fares for RTD's fixed route bus and light rail services are shown in Table 3.1. Free fixed route bus service is provided on the downtown 16th Street shuttle, known as MallRide. Other one-way cash fares range from \$2 for local circulator service to \$12 for the longest trips to or from Denver International Airport on skyRide.

Table 3.1– One-Way, Non-Discounted RTD Fixed Route Bus and Light Rail Fares

Type of Service	One-Way, Cash Fare
Local Bus	\$2
Express Bus	\$3.50
Regional Bus	\$4.50
skyRide	\$8–\$12, depending on distance
Longmont Local	\$2
16 th Street Downtown Shuttle	Free
Light Rail	\$2–\$4.50 (zones)

All 1,039 RTD fixed route buses are accessible and all fixed route bus routes are advertised as accessible. The light rail system is also accessible. RTD also offers free fixed route bus service to riders certified for ADA complementary paratransit service.

3.1 Description of ADA Complementary Paratransit Service (Access-A-Ride)

The ADA complementary paratransit service provided by RTD and operated by contract carriers is known as “Access-A-Ride.” Following is a summary of RTD’s key service policies included in the Access-A-Ride User’s Guide, information provided by RTD, and other public information.

Type of Service

The Access-A-Ride service is described on page 2 of the User’s Guide as a “curb-to-curb” service. Assistance beyond the curb is then provided as needed. Page 10 of the User’s Guide notes that

Door-to-door assistance may be provided to assist you to and from the threshold of a residence or main lobby of a building. Door-to-door assistance must be requested when reserving your trips. Drivers must maintain physical sight of the vehicle at all times. Drivers are not permitted to enter beyond the threshold or ground level of any building.

RTD staff and contractor staff indicated that, in practice, door-to-door service is provided in most cases, regardless of whether riders specifically request assistance beyond the curb when placing trip requests. Drivers who were interviewed all stated that this was their practice. See Chapter 5.

Service Area

The Access-A-Ride program is advertised to serve trips with origins and destinations that are within 3/4-mile of fixed-route bus or rail service.

Response Time

Trip requests from eligible riders are accepted every day from 8 a.m. until 5 p.m. Eligible riders can place trip requests from 3 days in advance until 5 p.m. on the day before the trip.

Some riders with conditional eligibility based on weather conditions or variable conditions (e.g., fatigue) are asked to call no more than 1 day in advance so that RTD and the rider can better predict if Access-A-Ride service is needed.

Days and Hours of Service

Because fixed route service is provided nearly 24 hours a day, Access-A-Ride service is also available almost around the clock.

Fares

Advertised Access-A-Ride fares at the time of the review are shown in Table 3.2. Fares vary by the type of fixed route service that would otherwise be used to make a comparable trip and are twice the fixed route fare.

Table 3.2 – Access-A-Ride Fares

Type of Trip	Access-A-Ride One-Way Fares
Denver Local	\$4
Boulder Local	\$4
Longmont Local	\$4
Express	\$7
Regional	\$9
Denver International Airport	\$16–\$24

Response Time

RTD’s Access-A-Ride reservations center operates every day of the year from 8 a.m. to 5 p.m., which means that a next-day reservation is always possible.

Trip Purpose

The Access-A-Ride program serves all trip purposes and does not give priority to certain types of trips in the reservations or scheduling process.

Coordination with Adjoining Service Providers

No other service providers adjoin RTD’s fixed route service area.

Service Design

RTD contracts with private companies to operate the Access-A-Ride service. RTD staff manages these contracts, monitor the quality of service, handle customer service, and determine eligibility for the service with carrier assistance.

RTD contracts with First Transit, Inc. to handle reservations, scheduling, and dispatch for the Access-A-Ride program. First Transit employees work at an RTD facility located in Denver at 1560 Broadway. As the call center contractor, First Transit does not operate any of the service to avoid potential conflicts of interest in trip scheduling and assignment.

RTD contracts with four other companies for vehicle operation. These companies hire, train, and supervise drivers, manage the pullout and pull-in functions, provide on-road supervision, and maintain vehicles provided by RTD. All vehicles in the system are owned by RTD. The companies that were under contract to RTD for vehicle operations at the time of the review and the number of vehicles leased to each are shown in Table 3.3.

**Table 3.3 – Companies Under Contract to Operate Access-A-Ride Vehicles
As of August 2009**

Company	Number of Access-A-Ride Vehicles
MV Transportation	157
Special Transit	54
Coach USA	56
Global Transportation	56
Total	323

Each carrier is paid according to the number of revenue hours of service it operates each month.

Eligibility Determination

RTD contracts with Easter Seals Colorado for assistance with ADA paratransit eligibility determination. RTD distributes service information and ADA paratransit eligibility application forms. Upon completing the form, applicants are instructed to call the Access-A-Ride call center to schedule an in-person interview and functional assessment and to request a ride to the interview/assessment if needed. Easter Seals' staff conducts the interviews and administers the functional assessments. For applicants determined to have unrestricted or restricted eligibility, Easter Seals sends out letters of final determination. In other cases, RTD staff review all recommendations to deny eligibility and then send letters to those they agree are not eligible.

As part of its quality control of the process, RTD also reviews approximately 20 percent of the determinations granting eligibility.

2008 Changes in Software and Advanced Technologies

On June 7, 2008, RTD implemented a new software system (RouteMatch) and other advanced technologies for operating and managing the Access-A-Ride program. Prior to this time, RTD used Trapeze software for reservations, scheduling, dispatching, and program management. Along with the change in software, mobile data terminals (MDTs) and automatic vehicle locator (AVL) technologies were installed.

RTD indicated that there were some significant issues with the transition to RouteMatch and technologies that impacted the operation of the Access-A-Ride service. The system ran very slowly, which affected the speed and efficiency of trip reservations, scheduling, and dispatching. This in turn impacted telephone hold times as the reservation processing time increased.

To combat this problem, RTD discontinued using the routing optimizer module for most trip reservations. Instead of searching the entire fleet for scheduling options, the optimizer module is limited to looking at the possibility of adding trips to the 10 vehicles closest to the pickup address. Trips that cannot be scheduled using this approach are deferred for subsequent scheduling and callbacks to riders with trip pickup times.

At the time of the review, RTD indicated that it has been working with the RouteMatch manufacturer since the transition to resolve the performance issues but that significant problems remain. RTD provided the review team with an extensive and detailed system compliance matrix that it has developed and is using to work with the manufacturer.

The issues related to the new software and technology installation continue to impact trip reservations, scheduling and dispatch. These issues are discussed in more detail in Chapters 8 and 9.

3.2 ADA Complementary Paratransit Performance Policies and Standards

RTD provided the review team with information detailing its ADA complementary paratransit performance policies and standards. Some of this information was provided via mail in early August 2009. Additional information was obtained from RTD's contracts with its call center and service provider carriers. Following is a summary of the paratransit performance standards

established by RTD for trip denials, vehicle wait time, and rider no-shows, missed trips, on-time performance, on-board travel times, and telephone service.

Trip Denial Standard

Section 3.3.9 of the Scope of Work section of the contract with First Transit, the call center contractor, states, “The Contractor shall ensure that every trip request is provided in order to maintain a 0 percent capacity denial rate on a monthly basis.”

Section 3.3.2 of the Scope of Work also states:

The call center contractors shall not limit the availability of complementary paratransit service to ADA paratransit eligible individuals by any of the following means:

Restrictions on the number of trips an individual will be provided service

Waiting lists for access to the service

Any operational pattern or practice that significantly limits the availability of service to ADA paratransit eligible persons

Article 51.0 of the contract, which sets performance penalties and incentives, calls for the contractor to receive an incentive payment of \$1,500 per month if they are able to maintain a 0 percent capacity denial rate. A \$1,500 penalty is called for any month where a 0 percent capacity denial rate is not maintained.

RTD confirmed in its August letter that its policy is to maintain a 0 percent denial rate.

Missed Trip Standard

RTD requires that service providers perform 100 percent of trips scheduled. Section 3.8 of the contracts with the service providers states, “The Contractor shall ensure that each trip scheduled is performed accordingly so as to maintain a carrier no-show rate of 0 percent on a monthly basis.”

Article 51.0 of the contracts then establishes penalties and incentives related to carrier no-shows (missed trips). This article first defines a “missed trip” as “...when a contractor arrives after the contractor on-time performance window and the passenger is not transported.”

Article 51.0 then calls for a \$100 penalty for each missed trip.

The reference in the Missed Trip standard to the carrier on-time performance window is ambiguous. As the RTD standard is written it could mean the 30-minute on-time window or the period extending from the beginning of the pickup window to 15 minutes beyond the end of the window. However, it is clear from the Access-A-Ride User’s Guide section “How Long a Driver Must Wait” that “drivers will wait six (6) minutes after they arrive during your scheduled pickup window.” Therefore, if a vehicle arrives after the end of the 30-minute window, it is a missed trip, and the customer is not obliged to appear. Classifying a trip as on-time if the vehicle arrives within 15 minutes after the end of the scheduled pickup window is not information made known to the customer and therefore not relevant to the issue of missed trips. This issue is discussed in more detail in Chapter 9.

Vehicle Wait Time, Rider No-Shows, and Late Cancellations

The “How Long a Driver Must Wait” section on page 11 of the Access-A-Ride User’s Guide states:

Access-A-Ride drivers will wait six (6) minutes after they arrive during your scheduled pickup time window. If a passenger does not board the vehicle within six (6) minutes after the vehicle arrives or does not have full fare, the driver will mark the passenger as a no-show and will depart the location.

Consistent with this public information, Section 1.13 of the contracts with service providers states:

Upon arrival at the pickup point, the driver shall make every attempt to contact the passenger by knocking on their door or ringing their doorbell. If after six (6) minutes, the passenger has not begun to proceed to the vehicle, the operator shall notify dispatch via MDC operation.

Section 3.3.6 of the contract with the call center contractor also includes similar language indicating a six-minute vehicle-wait time.

While not specifically noted in the User’s Guide or contracts, RTD and call center contractor staff indicated that the 6-minute wait time must occur within the 30-minute pickup window. If drivers arrive early, they must wait for 6 minutes within the 30-minute window, unless informed by riders that the trip is no longer needed.

Page 7 of the User’s Guide also defines no-shows further and states the RTD considers the following three situations as no-shows:

The vehicle arrives on time, but the customer no longer wants the trip.

The vehicle arrives on time, but the driver cannot locate the customer at the requested pickup location.

The vehicle arrives on time, and waits for six (6) minutes, but the customer is not ready to go, and the driver must leave to stay on schedule.

This section of the User’s Guide also states, “If you no-show for the first leg of a trip, all later trips scheduled for the day will not automatically be cancelled. It is the customer’s responsibility to cancel each scheduled trip they no longer need.”

Page 7 of the User’s Guide also defines a late cancellation as, “A late cancellation is any trip cancelled less than two (2) hours before your scheduled pickup window.”

Pages 7 and 8 of the User’s Guide list four policies that, if repeatedly violated, can result in the suspension of service. These are no-shows, late cancellations, failure to present a valid ID card upon boarding, and failure to pay the required fare. Page 8 states, “To emphasize the importance of these policies, RTD has adopted the following penalty for violating the above mentioned policies: four (4) ‘Policy Violations’ in a rolling 30-calendar-day period results in a two-week suspension of service.”

RTD indicated during the review that they have not been suspending riders for no-show, late cancellation, or ID violations. They stated that they were only occasionally suspending riders for “egregious fare policy violations.”

On-Time Performance Standards

Page 11 of the Access-A-Ride User's Guide states:

You must be prepared to board the vehicle at the beginning of your thirty (30) minute scheduling window. Access-A-Ride vehicles will arrive any time within the thirty- (30) minute window, which is given to you at the time you request your trip. Please keep in mind that your scheduled window assumes that the driver will have no difficulties while traveling to your pickup location. It is important to realize that an accident, weather, traffic, etc. may delay your driver. In such circumstances, we can only consider your ride late fifteen (15) minutes after the end of your scheduled pickup window. For example, if your pickup window is 10:00 p.m. – 10:30 p.m., the vehicle may arrive as late as 10:45 p.m. as a result of traffic, weather, or other elements.

This language implies that the standard on-time window is 30-minute long, but that under atypical operating conditions, a pickup might not be made during this time and a trip will only be considered late in these circumstances if it is made 16 or more minutes after the end of the 30-minute window.

Section 3.3.5 of the contract with the call center contractor states:

The Contractor shall work with the service providers to ensure that rides are provided on-time at least 93 percent of the time. On-time performance for Access-A-Ride is defined as a driver arriving for a pickup within the 30-minute scheduled window. Any vehicle arriving at their pickup 16 or (more) minutes after the scheduled window is considered 'Late.' Example, if a client has a scheduled window between 9:00 am – 9:30 am, and the driver arrives at 9:46 am, the trip is late.

This language appears to establish conflicting definitions of on-time versus late performance. On-time service is defined as occurring within the 30-minute scheduled window, but a trip is only late if it is made 16 or more minutes after the end of the window. It is also important to note that these definitions in the contract do not indicate that the extra 15-minute allowance must be related to atypical operating conditions such as accidents, weather, or traffic. The definition appears to apply at all times.

A similar conflict in definitions exists in the service provider contract. Section 3.13 of the service provider contract states, "Passengers shall be picked up within a 30-minute pickup window." However, Section 3.8, which defines the service standards, states:

The Contractor shall maintain an on-time performance rate at or above 93 percent on a monthly basis. On-time performance is defined as a driver arriving for a pickup within the 30-minute scheduled window. Any trip performed 16 or more minutes after the scheduled window time is considered "Late."

In addition, Article 51.0 of the service provider contract includes the following language, "On-time performance is defined as a driver arriving for a pickup within the 30-minute scheduled window. Any trip performed 16 or more minutes after the scheduled window is considered 'Late.'"

Article 51.0 then sets out incentive and penalty payments and assessments based on various levels of on-time performance as follows:

- \$1,500 monthly bonus if on-time performance is 98 percent or greater
- \$1,000 monthly bonus if on-time performance is 96–98 percent
- \$500 monthly bonus if on-time performance is 95–96 percent
- \$500 monthly penalty if on-time performance is less than 93 percent
- \$1,000 monthly penalty if on-time performance is less than 91 percent
- \$1,500 monthly penalty if on-time performance is less than 90 percent

RTD has not established a definition or standard for on-time drop-offs.

Inconsistencies in the definitions of on-time and late service, as well as the lack of an on-time drop-off standard, are discussed in more detail in Chapter 9.

On-Board Travel Time Standard

The Access-A-Ride call center and service provider contracts do not include standards, incentives, or penalties related to on-board travel times. The User’s Guide does not mention maximum travel times but advises riders to allow adequate time for travel when scheduling trips. In “Tips for Scheduling Service (P. 7),” the Guide states:

Allow adequate time to reach your destination

Allow extra time for the pickup and drop-off of other passengers before reaching your destination

Allow for traffic conditions and weather delays

In its August 7 letter, RTD indicated that it had not established a specific travel time standard, stating:

RTD maintains that no trip should take more than twice the amount of time that a similar trip would have taken by using the regular fixed route systems. Further, for long distance trips, RTD has restricted those from taking more than 90 minutes to complete.

On-board travel times and the steps taken to limit trips to no more than 90 minutes are discussed in Chapter 9.

Telephone Service Standard

Section 3.3.9 of the call center contract states, “The Contractor shall ensure that the average queue time for all calls is no more than 2.0 minutes on a monthly basis. Performance will be measured using unaltered ACD reports.”

Article 51.0 of the contract, which sets penalties and incentive payments, then says, “Contractor receives a monthly bonus of \$1500.00 if the average queue time per month is less than 1 minute. Contractor pays a monthly penalty of \$1000.00 if the average queue time is greater than 2.5 minutes.”

Call-n-Ride and access-a-Cab Services

RTD provides two types of non-ADA paratransit demand responsive service: call-n-Ride and access-a-Cab.

call-n-Ride is a curb-to-curb demand responsive transportation service. Minibuses transport riders to and from destinations within a designated geographic service area. Same-day service is available with one-hour notice. Reservations can be made up to two weeks in advance. Riders can travel to any location within the designated geographic area. The service is also designed to connect with many RTD park-n-Rides, and other RTD bus and light rail routes for travel throughout the region. At the time of the review, this service was available in 19 communities.

RTD also provides subsidized same-day cab service (access-a-Cab) for individuals who are eligible for the Access-A-Ride program. Three taxi companies in the greater Denver area currently participate in the program.

To request access-a-Cab service, riders call a different reservation number. Trip requests are taken in the same call center as Access-A-Ride. First Transit also handles calls for the access-a-Cab program and has integrated access-a-Cab calls with the Access-A-Ride service in terms of staffing and management. Requests for taxi rides are accepted daily from 6 a.m. to 9 p.m. Callers specify the taxi company they wish to use. Call center staff enters trip information into an automated reservations system and then forwards the trip requests to the appropriate taxi company. Pickups are made from 10 minutes after the time of the call up to 1 hour after, depending on cab availability.

A rider can request up to four access-a-Cab trips in any 24-hour period. Riders are responsible for paying the first \$2 of the fare and any amount on the meter over \$14. RTD provides a subsidy of up to \$12 per trip.

3.3 Consumer Comments

FTA Complaints and Recent Service Issues

As of the date of the on-site review, FTA had four complaints on file with FTA related to ADA complementary paratransit services provided by RTD. Two complaints related to the eligibility determination process and two complaints related to service performance.

FTA received one complaint regarding eligibility determination on May 28, 2008. The complainant indicated that she had been denied ADA paratransit eligibility. She reported having asthma and shortness of breath and indicated that she could not walk long distances. She noted that she had appealed her initial determination and that the determination was upheld on appeal.

FTA received the second complaint related to eligibility on November 20, 2008. The complainant indicated that she was a long-time Access-A-Ride rider. When she re-applied for continued service in April 2008, she was granted restricted eligibility. Her eligibility was limited to snowy days. An appeal was requested, but due to several scheduling conflicts, the complainant was unable to attend on any of the hearing dates offered by RTD and her formal appeal was never heard.

The third complaint was made to the U. S. Department of Justice on August 15, 2008, and was forwarded to FTA. The complaint concerned late pickups, late drop-offs, and poor telephone service in August 2008. The complainant noted that on one occasion she was picked up at 7:45 a.m. for a trip with a scheduled pickup time of 7:13–7:43 a.m. Even though the vehicle arrived only 2 minutes outside the 30-minute scheduling window, the complainant indicated that she arrived at work 45 minutes late. On another occasion, the complainant indicated that she waited until 7 p.m. for a pickup that was scheduled for between 5:22–5:52 p.m. She eventually

got a ride home from a co-worker at 7 p.m. She reported a hold time of up to 45 minutes when she called to check on the status of her ride.

The fourth complaint was made to FTA on June 12, 2008, and alleged service-performance issues between January and June 2008. The complaint specifically mentioned a long travel time in March, a late pickup in June, and negotiation of trip request times of more than 1 hour on two occasions in January and February 2008.

Consumer Comments

Prior to and during the on-site review, the review team contacted five Access-A-Ride riders and two staff members from disability and human service agencies that assist riders with using the paratransit service. Each interviewee was asked to comment on various aspects of the service, including:

- Eligibility determination process
- Telephone hold times, trip denials, and getting trips scheduled at desired times
- On-time performance
- On-board travel times
- Driver assistance and professionalism
- Vehicle condition

The review team also asked for any other comments on the service not covered by the specific questions. Please refer to Chapters 5–9 for summaries of the consumer comments related to the service issues covered in each chapter.

Consumer Complaints on File at RTD

RTD's procedures for receiving and responding to consumer comments and complaints are described in Chapter 5.

4 Summary of Findings

This chapter summarizes the findings made as a result of the review. Findings denote deficiencies in ADA compliance or topics on which FTA requires additional reporting to ensure an ADA compliance issue does not exist. Findings shall always require corrective action and/or additional reporting. Recommendations are statements detailing suggested changes to policy or practice to ensure best practices under the ADA. The basis for findings and recommendations are detailed in Chapters 5 through 10.

4.1 ADA Complementary Service Criteria

1. There were no findings of non-compliance in this section of the report.

4.2 ADA Complementary Paratransit Eligibility

1. The interpretation of Category 3 in the Appeal Hearing Guidelines is incorrect. The RTD guidelines state “Category 3 eligibility is intended to be a very narrow exception to the general rule that difficulty traveling to or from boarding or disembarking locations is not a basis for eligibility. In other words, the whole route from a person’s home to a bus stop cannot be considered, ONLY the bus stop area itself can be considered. For example, a person in a wheelchair or with a visual impairment might have difficulty if a bus stop is rock or gravel.” In fact, Category 3 eligibility outlined in the DOT ADA regulations at 49 C.F.R. § 37.123 specifically recognizes that the interaction between an individual’s disability and architectural and environmental barriers may prevent an individual from traveling to or from a boarding location; such individuals would be eligible where such barriers exist along the route to and from the bus stop.
2. Instructions given to Appeal Committee members in the Appeal Hearing Guidelines include an incorrect interpretation of ADA paratransit eligibility for individuals with epilepsy or seizure conditions. The guidance suggests that epilepsy does not “interfere with (a person’s) innate ability to use fixed route service.” Certain types of seizure conditions, which cause a loss of consciousness, severe fatigue, and disorientation, can prevent travel on fixed route services.
3. RTD’s conditional eligibility category of Unfamiliar Trips or Infrequent Trips does not appear to comply with regulatory definitions of eligibility. Under DOT ADA regulations at 49 C.F.R. § 37.123, it is a rider’s current actual ability, not his/her potential to be travel trained to make a trip by fixed route services that must be considered when making decisions about ADA paratransit eligibility. Even if a trip is travel trainable, until the rider is successfully trained to make the trip by fixed route, ADA paratransit must be provided. Even if a person makes several trips to a specific location via paratransit, this does not imply that he/she knows how to make the trip by fixed route. Riders with this type of conditional eligibility should be contacted and their eligibility revised accordingly.
4. Trip-specific conditional eligibility, which limits eligibility to specific purposes (such as trips to or from work or to dialysis), is not consistent with the DOT ADA regulations at 37.123 as explained in Appendix D to Part 37 of the DOT ADA regulations, since it inappropriately limits service to specific trip purposes and locations rather than considering an applicant’s ability to travel to origins and destinations throughout the service area. A rider who cannot

get to or from work by fixed route because of certain travel barriers could face those same barriers when traveling to other locations throughout the service area. It seems unlikely that there would be a barrier that would only apply to one specific trip purpose or one specific location. It would be more appropriate to first set the conditions of eligibility and then apply them to trips requested. Similarly, a person who cannot use fixed route service because of severe fatigue caused by renal disease or dialysis treatment could be prevented from making trips by fixed route to places other than just a dialysis treatment center for the same reasons. Such trip-specific eligibility would only be appropriate in cases when severe fatigue is only experienced immediately after the treatment but at no other times. Many persons with renal disease also experience severe fatigue at times other than just immediately following treatment. It would be more appropriate to grant conditional eligibility when severe fatigue prevents travel by fixed route rather than to tie eligibility to a specific trip purpose or location.

5. Letters of determination sent to riders determined to have temporary eligibility do not include information about the right to appeal or the appeal process. Since a temporary determination limits the level of eligibility granted, under DOT ADA regulation 49 C.F.R. § 37.125(g), riders must have an opportunity to appeal these decisions and should be informed of the appeal process.
6. RTD's Request for Appeal of Access-A-Ride Eligibility Determination Form requests a statement from the applicant on why he or she does not agree with the determination. The DOT ADA regulations at 49 C.F.R. 37.125(g) state that applicants have the right to be heard (in person). Appellants should not be required to explain the reasons for their disagreement in writing in order to have an appeal scheduled.
7. RTD's policy to suspend riders who incur four or more no-shows or late cancellations in a 30-day period does not consider the frequency of no-shows and late cancellations and may not always define a pattern or practice of missing scheduled trips, as required by DOT ADA regulations at 49 C.F.R. § 37.125(h). Four no-shows or late cancellations (two round trips) by a rider who travels every day to and from work as well as other locations is very different from the same number of no-shows and late cancellations by a rider who travels only occasionally. The policy does not consider the trip-making history of the rider and the extent of no-shows and late cancellations compared to the total number of trips scheduled.
8. RTD's proposed letters to riders notifying them of a suspension of service due to a pattern or practice of late cancellations or no-shows do not inform riders that no-shows that were beyond their control, including no-shows caused by system or operator error, are not counted against them. Under DOT ADA regulations at 49 C.F.R. § 37.125(h), the transit provider must provide the rider the specific basis for the proposed suspension, including the definition of a no-show, so as to fully inform the rider that only no-shows within their control are counted against them for purposes of a suspension in service.

4.3 Telephone Access

1. There were no findings of non-compliance in this section of the report.

4.4 Trip Reservations Process

1. Under DOT ADA regulations at 49 C.F.R. § 37.131(b), transit providers shall schedule and provide 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. For RTD riders scheduling a trip between midnight and 3 a.m., a caller must call at least 2 days in advance (e.g., Monday for a trip on Wednesday at 1 a.m.) because the late evening vehicle runs of Access-A-Ride operate past midnight—to as late as 3 a.m. the following morning—so it considers the period between midnight and 3 a.m. as part of the previous day. This scheduling practice is noncompliant with federal regulations requiring RTD to provide next day scheduling.

4.5 Service Performance

1. RTD's on-time performance standard is to make at least 93 percent of all pickups on time. There is some inconsistency in the way that on time and late trips are defined. On-time trips appear to be those where the pickup takes place within or before the 30-minute pickup window negotiated with riders. However, trips are not considered to be late until the pickup is more than 15 minutes after the end of the 30-minute pickup window. RTD reports on-time pickup performance to include trips that are performed up to 15 minutes after the end of the 30-minute pickup window.
2. RTD defines no-shows and missed trips in a manner that appears to be consistent with DOT ADA regulations. However, the actual suspension policy can easily result in suspensions of service where a true pattern or practice of missing scheduled trips does not exist. In addition, inconsistencies surrounding the definition of on-time and late vehicle arrivals create confusion about whether a trip not taken is a no-show (chargeable to the rider) or a missed trip (chargeable to RTD). This is particularly problematic in terms of the coding of trips not taken by riders when the vehicle arrives from 1–15 minutes after the end of the 30-minute on-time window.
3. RTD has not established a formal on-board travel time standard for the Access-A-Ride service. The informal standard is that Access-A-Ride trips should be no more than twice the fixed route travel time. The policy that no paratransit trip should exceed two times the amount of time a similar fixed route trip would take is inconsistent with DOT ADA regulations at 49 C.F.R. § 37.121, concerning comparable travel time.

4.6 Resources

1. There were no findings of non-compliance in this section of the report.

5 ADA Complementary Paratransit Service Criteria

This chapter presents information about RTD’s ADA complementary paratransit service policies with respect to the DOT ADA regulatory criteria under §37.129 (a) or §37.131 for each of the following:

- Type of service
- Service area
- Hours and days of service
- Fares
- No trip purposes
- Efforts to coordinate with adjoining transit systems

This chapter also examines the process used by RTD to receive, investigate, and respond to comments and complaints from ADA complementary paratransit service riders.

Observations concerning the response time requirement are discussed in Chapter 8.

Observations concerning the requirement that ADA complementary paratransit service be operated without capacity constraints appear throughout the report, if applicable.

5.1 Consumer Comments

None of the riders and agency representatives contacted in advance of the on-site review expressed concerns about the type of service, service area, days and hours of operation, fares, trip purposes, or reservations policies. One of the seven individuals contacted expressed concern about the RTD complaint-handling process. She claimed that RTD has not regularly responded to her complaints.

None of the four formal ADA complaints on file at FTA cited issues with the basic service policies addressed in this chapter or with the complaint-handling process. Similarly, the review of recent internal complaints on file at RTD, described in Chapter 3, did not include any complaints about service policies or the complaint-handling process.

5.2 Type of Service

Section 37.129(a) of the DOT ADA regulations states that ADA complementary paratransit service must be provided on an “origin-to-destination” basis. Transit agencies may designate the “base” level of rider assistance that they provide as either curb-to-curb or door-to-door.

According to DOT guidance and FTA technical assistance on this topic, if the base service is curb-to-curb, transit agencies must have procedures in place to provide additional assistance beyond the curb if this is needed for eligible riders to complete their trips. This might include assisting riders to and from the front door and policies and procedures for providing this assistance in a safe and reasonable way.

RTD’s Access-A-Ride User’s Guide states, “RTD Paratransit Services, Access-A-Ride, provides curb-to-curb public transportation to riders that have a disability that prevents them from making some or all trips on fixed route buses (page 2).”

The “Where to Wait” section states:

Access-A-Ride is a shared-ride program that complements RTD’s fixed route bus and light rail services. Passengers must be waiting at the sidewalk, or at another safe waiting area in front of, or as close as possible to, the entrances of the pickup location. Drivers will wait for a passenger at the curb of a public street, in front of, or as close as possible to, the passenger’s house, building, or other designated pickup location.

Drivers may only maneuver a wheelchair up or down one (1) step.

For drop-offs, the driver will drop the passenger off at the sidewalk, or another waiting area next to the curb or a public street in front of, or as close as possible to, the designated drop off location (page 9).

The section on Door-to-Door Assistance states:

Door-to-door assistance may be provided to assist you to and from the threshold of a residence or main lobby of a building. Door-to-door assistance must be requested when reserving your trips. Drivers must maintain physical sight of the vehicle at all times. Drivers are not permitted to enter beyond the threshold or ground level of any building (page 10).

Based on the above information provided to riders, which was corroborated by driver interviews, Access-A-Ride has a base level of curb-to-curb service with procedures in place to provide additional assistance beyond the curb if needed. These provisions comply with the regulations.

5.3 Service Area

Section 37.131(a)(1) of DOT ADA regulations requires a transit provider operating fixed route bus service to provide complementary paratransit service that covers, at a minimum, all areas within 3/4 of a mile of all of its bus routes, along with any small areas within its core service area that may be more than 3/4 mile from a bus route, but which are otherwise surrounded by served corridors. The service area for ADA complementary paratransit service must include areas outside of the defined fixed route jurisdiction—such as beyond political boundaries or taxing jurisdictions—that are within 3/4 mile of the transit operator’s fixed route, unless the public transit agency does not have the legal authority to operate in those areas. For entities operating a light rail or rapid rail system, the paratransit service area includes 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.

The paratransit reservations and scheduling software used by RTD employs a GIS database to determine if the requested trip lies within the service area. The GIS provides a 3/4-mile buffer around all RTD fixed routes, and dummy services have been added to the GIS to fill all small areas in the RTD core service area so that paratransit trips are provided in these small areas. Examination of the actual service area map on a computer display confirmed that the only non-service areas enclosed by bus routes are very large and located at the periphery of the fixed route service area.

5.4 Days and Hours of Service

Section 37.131(e) of the DOT ADA regulations requires that the ADA 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 the entity’s fixed route system at a

specific time of day, it must also be able to be taken on 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 ADA 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 ADA complementary paratransit service, at minimum, from 5 a.m. until 9 p.m.

RTD provides Access-A-Ride service all hours of the day, every day, including holidays.

5.5 Fares

Section 37.131(c) of the DOT ADA regulations requires that paratransit fares be no more than twice the fixed route fare for the same trip at the same time of day on the fixed route system, excluding discounts. In addition, fares for individuals accompanying ADA complementary paratransit riders must be the same fare as for the paratransit rider. Personal Care Attendants (PCAs) must be allowed to travel at no charge. Finally, a transit system may negotiate a higher fare to a social service organization or other organization for trips that are guaranteed to the agency.

The Access-A-Ride User's Guide states: "Fares for Access-A-Ride are twice the fare for the same trip on an RTD bus (p. 14)." This fare is \$4 for paratransit trips complementary to local bus service, \$7 for express bus service, \$9 for regional bus service, and \$24 for trips to Denver International Airport. Personal care attendants ride for free and the standard paratransit fare applies for guests of eligible riders.

16th Street MallRide Free-Fare Area

The review team examined Access-A-Ride fare comparability to fixed route fares with respect to the area surrounding the free MallRide along the 16 blocks of the 16th Street pedestrian mall. At the time of the review, RTD provided free paratransit service for trips with both an origin and a destination within 1/4-mile of the MallRide service. RTD based its choice of 1/4-mile on the rule of thumb used in service planning as the distance most passengers would be willing to walk to the service. However, this is not an appropriate criterion on which to make a determination of the area within which a free fare should apply.

According to the preamble of the DOT ADA regulations, the requirement that ADA complementary paratransit service be provided within 3/4-mile of fixed route services was adopted by the Department of Transportation as it was "thought to be reasonable because it was sufficiently wide to take into account the likelihood that fixed route service would draw passengers with disabilities from a relatively wide distance on either side of a fixed route, because corridors of this width would minimize unserved pockets, because it was not so wide as to vitiate the corridor concept, and because it represented a fair middle ground between commenters' suggestions."

The basic requirement to provide paratransit service within a 3/4-mile distance from fixed route service means that any subdivision based on smaller distances within this 3/4-mile corridor is not recognized by the regulations. Therefore, the service planning rule is not an appropriate basis for defining the free-fare zone for ADA complementary paratransit.

Comparable fare is the appropriate criterion to use in this analysis. Appendix III to the DOT regulations addresses the fare issue in its comments on Section 37.131:

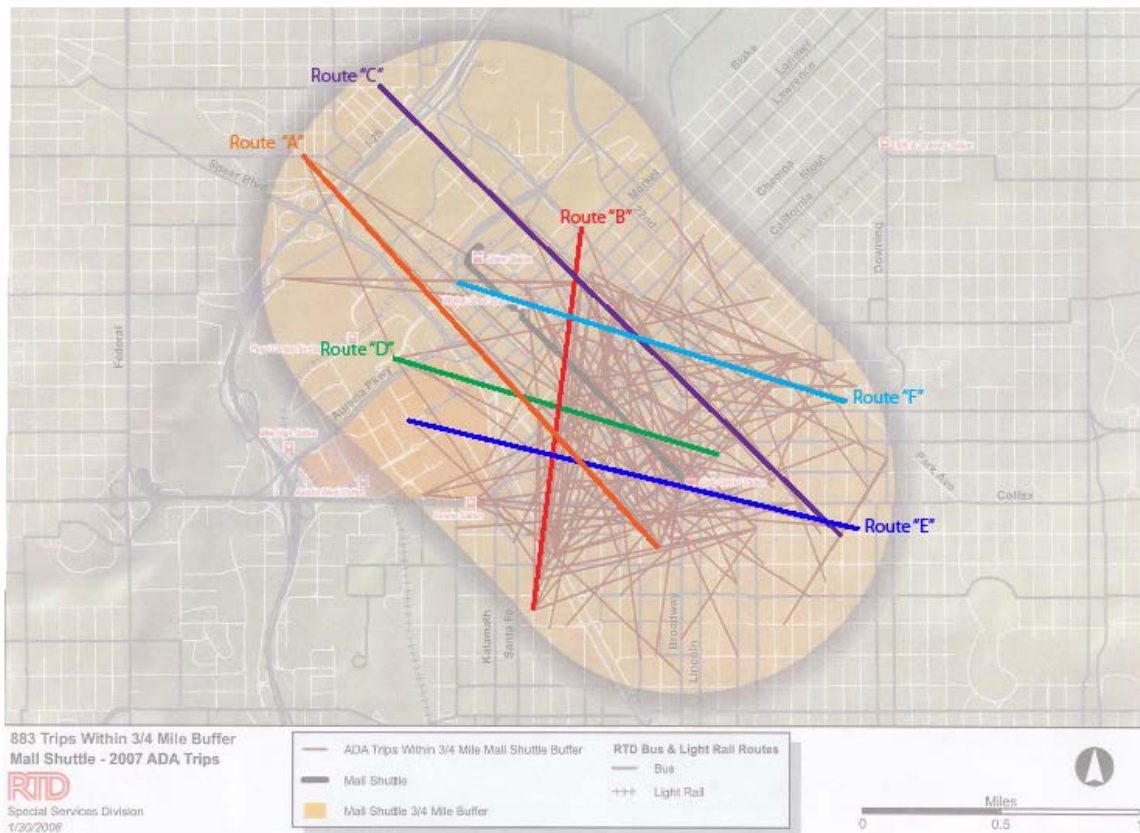
[In determining the comparable fixed route fare on which the paratransit fare is to be based,] the comparison would be made to the mode on which a typical fixed route user would make the particular trip, based on schedule, length, convenience, avoidance of transfers, etc.

In other words, the relevant criterion is the fare that a “typical fixed route user” would pay for the chosen fixed route service. Would this typical user choose to walk to the 16th Street Mall to ride the free shuttle or would this user choose to ride other RTD fixed route services that require a fare? In making this choice, the free fare and frequent service on the MallRide shuttle is an incentive to use the shuttle for the trip. However, the total time and walking distance from the origin to the fixed route service and from the fixed route service to the rider’s destination are considerations that in some circumstances may lead a typical rider to choose a different bus route to make the trip despite the fare that is charged. This decision will depend on the particular origin and destination of the rider’s trip. For trips that are aligned in parallel with the 16th Street Mall, a rider might choose to walk 3/4-mile at each end from origin to shuttle stop and from shuttle stop to destination. On the other hand, if the trip is aligned perpendicularly to 16th Street, the shuttle may have little value in making the trip, and the typical rider would choose to use a fixed route service that runs in the direction of the trip. Therefore, the choice that a typical rider would make depends in large part on the direction of their trip: parallel, perpendicular, or at an angle to 16th Street.

RTD fixed route service in the area around the 16th Street Mall offers a fine-grained grid of bus services and a light rail service running on frequent headways both parallel to 16th Street and across it, and the parallel services run on nearly every street both east and west of 16th street with frequent service, making the full fare fixed route service in this area relatively convenient for trips in the downtown area that are not close to 16th Street and parallel to it.

RTD provided a graphic analysis of paratransit trips both within 1/4- and 3/4-miles of the free MallRide service (see Figure 5.1); the graphic depicts these trips as a line segment between the trip’s origin and destination. In 2007, there were 883 such trips with an origin and destination within the 3/4-mile “buffer” around the free service. One hundred and ninety of these trips had an origin and destination within the 1/4-mile buffer; 693 trips had both origin and destination between 1/4- and 3/4-mile of the shuttle route.

Figure 5.1: Sample Routes



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The review team analyzed the comparative travel times for six selected trips between the 1/4-mile and 3/4-mile buffers using two alternatives: using RTD fixed route services and using only the free MallRide service. (Fixed route trips that combined the MallRide with a regular-fare bus route would be charged the standard fixed route fare, so only trips that relied entirely on the MallRide were used for comparison.) The six trips were selected as a representative sample of the types of paratransit trips taken in 2007, with varying origins and destinations in the area; these trips are shown in Figure 5.1, highlighted in color. The six trips were selected to analyze the choices that a rider would make, based on the distance and angle with respect to 16th Street.

Figure 5.1 shows the 3/4-mile “buffer,” the 2007 paratransit trips, and the six trips selected for comparative analysis. Riders taking trips that are almost perpendicular to the 16th Street mall would not receive any benefit from using the free shuttle service, nor would trips that begin and end entirely south of the shuttle service. Four of the selected trips cross the mall at a sufficiently acute angle to make the MallRide shuttle a reasonable choice, and two of the selected trips are roughly parallel to the MallRide service at a distance greater than 1/4 mile.

For each selected trip, the Google trip planner linked to RTD’s website was used to determine the applicable fixed route service, the transit time (including transfer in one instance), and the walking route to and from the service. Walking time was computed at the standard rate of 20 minutes per mile. Wait time for the fixed route service was set at 5 minutes for all services, based on the assumption that the rider would have access to schedule information. These factors were used to compute an overall trip time, which is shown in Table 5.1. For each trip, the walking route, walking time, and transit time was computed using only the free MallRide service; a wait time of 1 minute was used for these trips because of the frequent MallRide schedule. The results are compared with the fixed route times in Table 5.1.

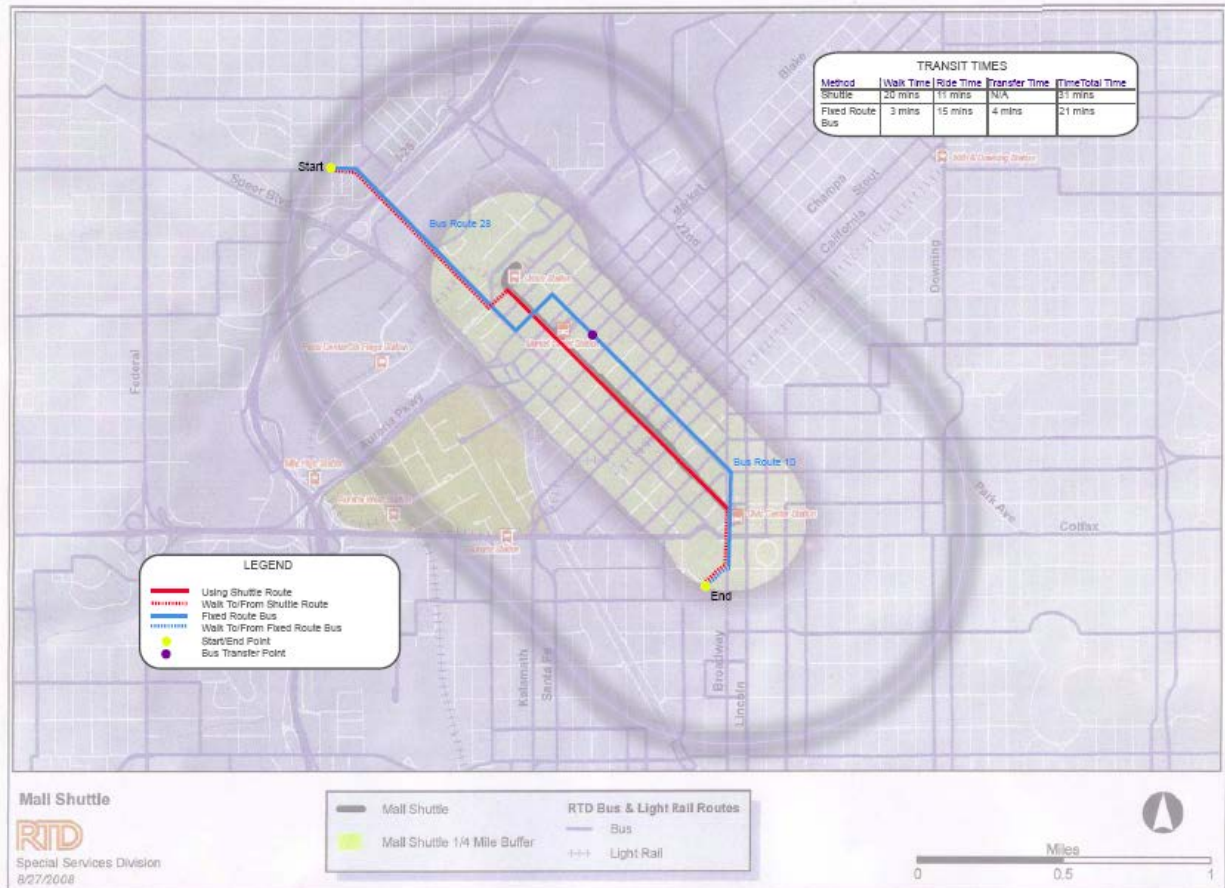
Table 5.1 - Comparison of Trip Times for Free Shuttle and Fixed Route Service for Six Sample Trips within 3/4-Mile of the MallRide Shuttle. (All times in minutes)

Trip	Mode(s)	Walk	Wait	Ride	Transfer	Time	Difference	Percent
A	Free Shuttle	22	1	11	0	34	7	26%
A	Bus Rtes 28 and 10	3	5	15	4	27		
B	Free Shuttle	25	1	6	0	32	4	14%
B	Bus Route 9	7	5	16	0	28		
C	Free Shuttle	38	1	11	0	50	13	35%
C	Bus Route 52	16	5	16	0	37		
D	Free Shuttle	14	1	9	0	24	3	14%
D	Bus Route 20	5	5	11	0	21		
E	Free Shuttle	28	1	6	0	35	8	30%
E	Bus Route 15	5	5	17	0	27		
F	Free Shuttle	21	1	11	0	33	13	65%
F	Bus Route 28	3	5	12	0	20		

Figures 5.2 and 5.3 illustrate the free shuttle and fixed route alternatives for selected trips. Graphics for all six trips are provided in Attachment D. As shown in Table 5.1, in each case the free MallRide alternative has a longer trip time, with the difference ranging from 3–13 minutes, or 14–65 percent more than the regular fixed route alternative. In addition to overall trip time,

the walking time for the trips using the free MallRide shuttle are 9–23 minutes longer than the walking time for the regular fixed route service, and in five of the six sample trips the walking time to and from the free shuttle exceeds 20 minutes (one mile).

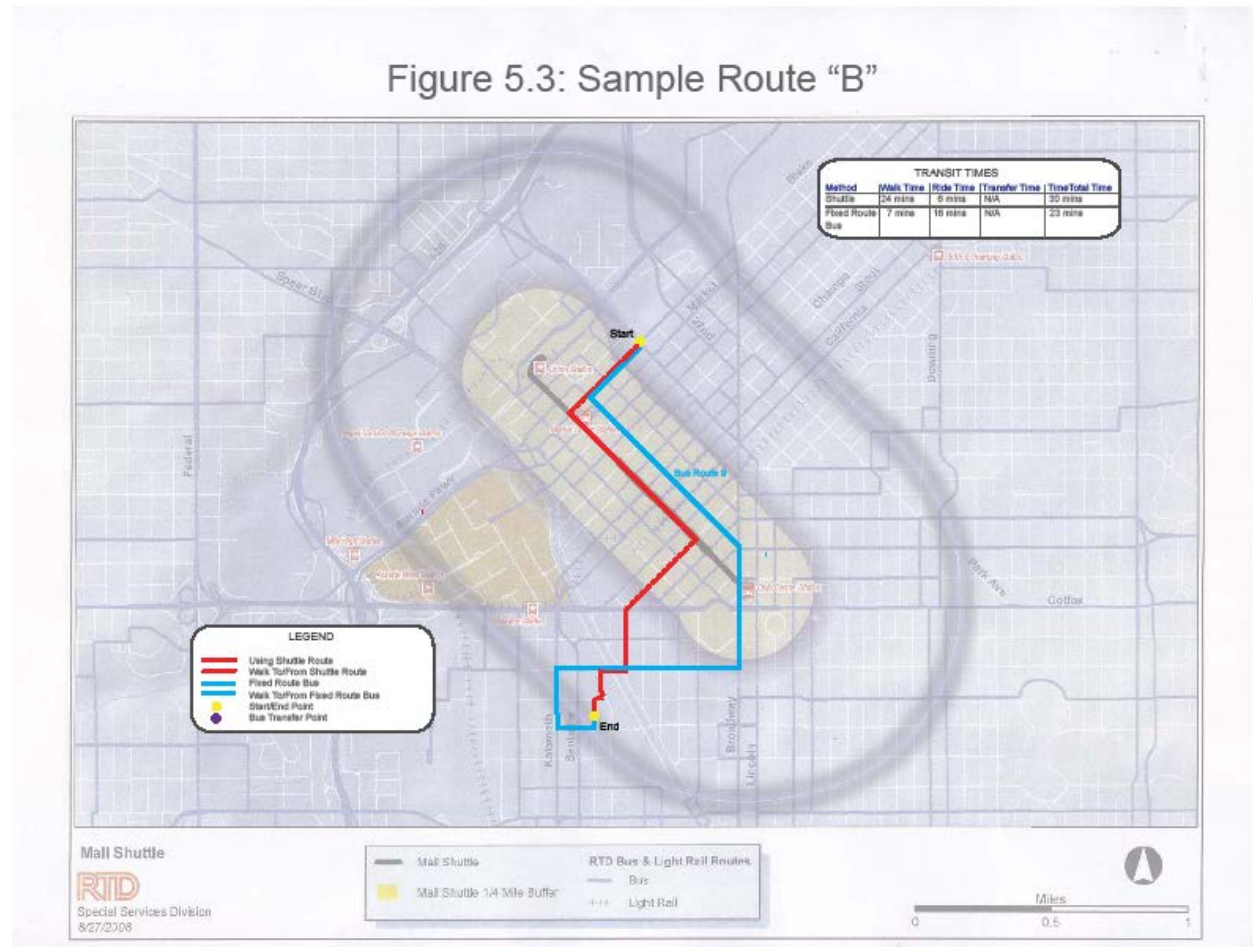
Figure 5.2: Sample Route “A”



While using the free shuttle service saves the \$2 bus fare, the data in Table 5.1 showing savings in trip time of 3–13 minutes, and differences in walking time of 9–23 minutes suggests that most fixed route users would reasonably choose to use other full fare fixed route service rather than use the free MallRide bus for the six selected trips. Examination of Figure 5.1 indicates that the six selected trips are representative of all the trips area between 1/4-mile and 3/4-mile, and that there are no other trips that might have been selected from this area that would have fixed route trip times and walking times which would be shorter for the free shuttle.

In summary, the selected trips would be shorter in total time and in walking time if fixed route service requiring the \$2 fare were chosen, rather than the free MallRide shuttle; in addition, many of the paratransit trips were close to perpendicular to the shuttle route, and the shuttle was clearly not a reasonable alternative for these perpendicular trips. The determination of whether the \$2 fare or the free shuttle fare is the appropriate comparable fare comes down to a judgment of whether an overall time saving of 3–13 minutes together with a walking time that is 9–23 minutes shorter would lead the typical rider to choose to pay the bus fare.

Figure 5.3: Sample Route "B"



It seemed unlikely to the review team that a different selection of trips with an origin and destination outside the 1/4-mile zone would make use of the free MallRide shuttle more advantageous to the typical rider than the full fare fixed routes, making the full fare the comparable fare for trips with origin and destination between 1/4-mile and 3/4-mile from the shuttle route. Based on the analysis and visual inspection of the RTD graphic depicting paratransit trips within the 3/4-mile buffer, the review team concluded that the available information does not support contradicting RTD's fare policy of limiting the free fare for paratransit trips to the area within 1/4 mile of the MallRide shuttle route. One should also note that this conclusion is particular to the MallRide service and the dense network of frequent RTD fixed route service near the 16th Street Mall.

5.6 Trip Purpose

Section 37.131(d) of the DOT ADA regulations require that there are no restrictions or priorities based on trip purpose in the provision of ADA complementary paratransit service.

RTD states that it does not restrict or prioritize Access-A-Ride trips by trip purpose. Restrictions or prioritizations are not mentioned in the Access-A-Ride public information or in the service provider contract. Observations of the trip booking and scheduling process also did not identify any evidence of restrictions or prioritization.

5.7 Coordination with Adjoining Service Providers

When developing their paratransit plans, transit systems were required under Section 37.139(g) to include efforts to coordinate with transit systems with overlapping or contiguous service areas for paratransit riders who want to travel between service areas.

5.8 Complaint-Handling Process

The DOT ADA regulations require public transit providers to receive complaints from riders, resolve them promptly and equitably and to keep copies of complaints on file for one year and maintain a summary of complaints on file for five years (49 CFR 27.13(b) and 27.121(b)). While requirements to respond to complainants are not included in the DOT ADA regulations, it is a common and effective practice for a transit provider to respond to complainants and for transit providers to investigate allegations to ensure that all DOT ADA requirements are being met.

RTD provided the review team with reports documenting all Access-A-Ride complaints between January 2008 and August 2009 as well as statistics on complaints received by month and by type. The review team examined the RTD complaint-handling process and files as part of the review and interviewed the RTD Customer Service supervisor for Access-A-Ride and the RTD employee assigned to monitor complaints and coordinate their resolution.

The volume of Access-A-Ride complaints peaked in June 2008 when the new scheduling software was introduced. Since then, the complaint volume has trended down from approximately seven complaints per 1,000 passenger trips to less than one per 1,000 trips in July and August 2009. The complaint volume is shown in Figure 5.4. In comparison, a 2003 FTA review of Access-A-Ride found the rate of complaints to be 1.2 per 1,000 trips. One complaint per 1,000 trips is generally considered to be an acceptable rate in the paratransit industry.

Figure 5.5 shows the breakdown of complaints by type from August 1, 2008, through July 31, 2009. During this one-year period, the records showed 1,931 complaints and 115 commendations. The top two complaint types covered late arrival or failure to make the pickup, followed by excessive travel time, improper procedure (e.g., failure to provide an accurate pickup window), careless driving, and disputes over alleged no-shows by a rider. There were relatively few complaints regarding late drop-offs. Complaints concerning the Access-A-Ride call center (e.g., improper procedure, information update, no return call, and long hold time, etc.) totaled well under the level of 20 complaints per month that would trigger penalties under the call center contract.

Figure 5.4 - Access-A-Ride Complaints per 1,000 Passenger Trips, Jan 2008–Aug 2009

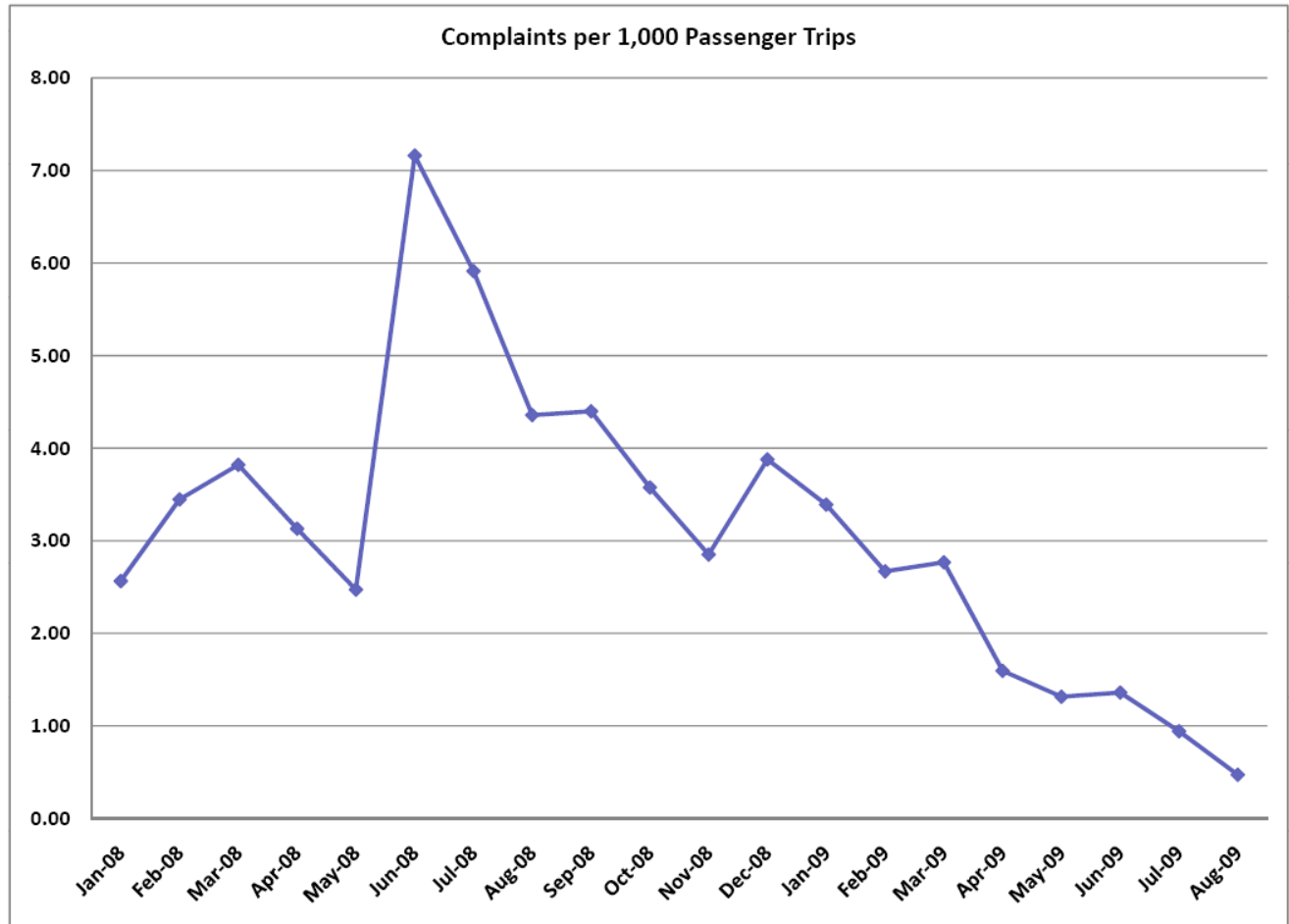
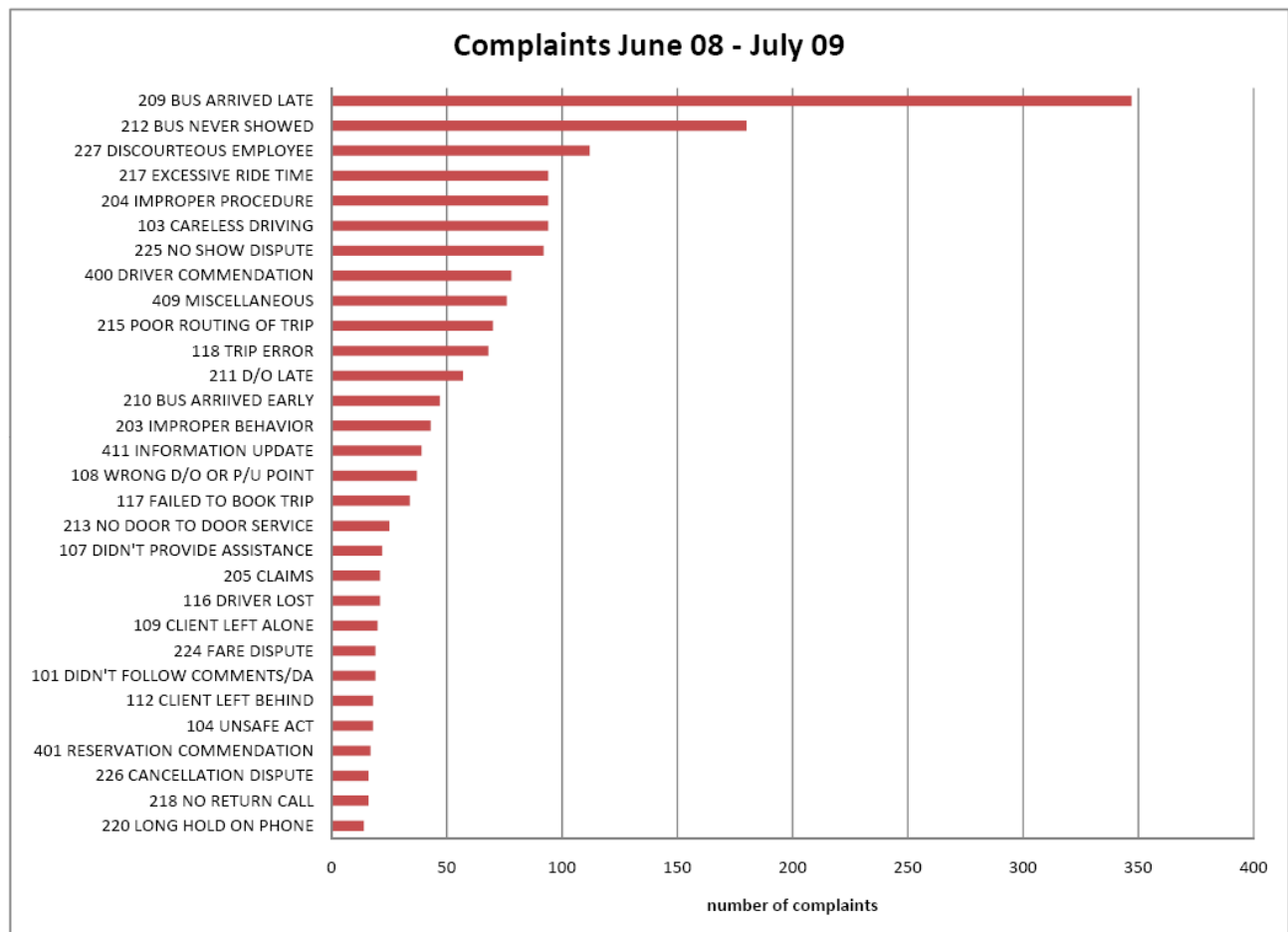


Figure 5.5 - Complaints Regarding Access-A-Ride, August 1, 2008–July 31, 2009, by Type



Please note that RTD receives complaints by phone using a number posted on their website, as well as by email, hard-copy mail, and in person. Complaints regarding Access-A-Ride are entered into RTD's "COM" complaint management database. The database includes complaints regarding all RTD services, but the database provides information filtered to respond to specific queries, which can relate to Access-A-Ride as a whole, particular carriers, complaint types, and complaints specific to individual riders or drivers. All Access-A-Ride carrier operations managers receive email copies of complaints from the RTD complaint coordinator. The coordinator maintains a log of complaints and their status, communicates with carriers about complaint resolution in person, by phone, and by email, and makes calls to the complainant to gather pertinent information and inform the rider as to their complaint's resolution.

Carriers are required by their contracts (Contract Exhibit A, pp. 58-59) to resolve all complaints within five business days. Reportedly, this system of coordinating and resolving complaints and reporting back to riders began in February 2009 when the current complaint coordinator was hired. Performance appears to be good since then, but RTD stated that complaint coordination and documentation was not as well handled prior to February 2009.

The carrier operations managers provided information about the handling and disposition of complaints consistent with the information provided by RTD.

The review team examined complaint reports for approximately 30 complaints received since Feb 1, 2009. The reports indicate that complaints were resolved within the 5-day window, many on the same or next day. This was true for complaints involving potential disciplinary action and retraining, including failure to secure equipment, improper behavior, and unsafe acts. Riders received callbacks for all of the examined complaints.

5.9 Findings

1. There were no findings of non-compliance in this section of the report

5.10 Recommendations

1. Should RTD choose to limit Access-A-Ride service hours to the hours of the equivalent fixed route service (as permitted by the regulation), it should update the time module in its reservations and scheduling software whenever fixed route service hours change.

6 ADA Complementary Paratransit Eligibility

Section 37.121 of the DOT ADA regulations requires transit systems to establish a process for determining ADA complementary paratransit eligibility including who is eligible, timelines for processing applications, recertification requirements, how appeals are handled, and how the process is described in public information documents

The review team examined the process used to determine applicants' eligibility for ADA complementary paratransit service to ensure that determinations are being made in accordance with the regulatory criteria and in a way that accurately reflects the applicants' functional ability. The review team also assessed timeliness of the processing of requests for eligibility and carried out the following tasks:

- Obtained input about the eligibility determination process through interviews with riders and advocates and a review of consumer comments on file at RTD.
- Developed an understanding of the handling and review of applications through an assessment of current eligibility materials and interviews of eligibility determination staff
- Reviewed eligibility determination outcomes
- Reviewed application files of 30 recent applicants who had been granted conditional ADA complementary eligibility or who had been denied eligibility
- Reviewed no-show policy and procedures

6.1 Consumer Comments

Six of the seven individuals contacted in advance of the on-site review had no concerns about RTD's process to determine ADA paratransit eligibility. These six individuals indicated that the process seemed thorough and fair and that determinations were made in a timely way.

The seventh individual expressed some concern about the process. This person, who worked at a local disability service agency, indicated that he believes some individuals are frustrated with the in-person assessment process and feel the process "is intense." He indicated that some individuals served by his agency have expressed concerns about the fairness of the process.

Eligibility determination was also the subject of two of the four formal ADA complaints on file at FTA. One complainant indicated that she had been denied ADA paratransit eligibility. She reported having asthma and shortness of breath and indicated that she could not walk long distances. She noted that she had appealed her initial determination and that her appeal was unsuccessful. The second complainant indicated that her eligibility was unfairly limited to days when there was snow.

No service complaints were on file with RTD covering the period from August 1, 2008 through July 31, 2009.

6.2 Overview of the Eligibility Determination Process and Materials

Section 37.125(b) of the DOT ADA regulations requires that all information about the process, materials necessary to apply for eligibility, and notices and determinations concerning eligibility be available in accessible formats, upon request.

Section 37.125(c) of the DOT ADA regulations requires transit systems to make a determination of ADA complementary paratransit eligibility within 21 days of the receipt of a completed application, or treat the applicant as eligible and provide service until the eligibility determination has been made.

Section 37.125(d) of the DOT ADA regulations states that determinations of eligibility must be in writing and if applicants are found to be ineligible, the determination must state the specific reasons for the decision. Appendix D to the regulations indicates that these reasons cannot be a simple recital that the person has been found to be able to use fixed route service. The specific reasons must relate to the regulatory criteria and the RTD's eligibility process. Decisions that deny or limit eligibility also must include information about the process for appealing the decision.

Section 37.125(e) requires the transit system to provide documentation to each eligible individual stating that he or she is "ADA complementary paratransit eligible" and include the following information:

1. Name of the eligible individual
2. Name of the transit system
3. Telephone number of the transit system's paratransit coordinator
4. Expiration date for eligibility
5. Any conditions or limitations on the individual's eligibility, including the use of a PCA

Section 37.125(f) permits the transit system to require recertification of the eligibility of ADA complementary paratransit eligible individuals at reasonable intervals.

Section 37.125(g) outlines a process for administering appeals through which individuals who are denied eligibility can obtain review of the denial. The transit system is permitted to require that an appeal be filed within 60 days of the denial of an individual's application. The appeal process must include an opportunity for the denied applicant to be heard and to present information and arguments. The decision on the appeal must be made by a person not involved with the initial decision to deny eligibility, must be written, and must explain the reasons for the decision. During the appeal period, the transit system is not required to provide paratransit service to the appellant. However, if a decision is not made within 30 days of the completion of the appeal process, the appellant must be provided paratransit service from that time until and unless a decision to deny the appeal is issued.

Section 37.127 of the DOT ADA regulations requires that paratransit service be made available to visitors who do not reside in the jurisdiction(s) served by the transit system. Visitors who present documentation that they are ADA paratransit eligible in the jurisdiction in which they reside are to be treated as eligible.

For visitors with disabilities who do not present such documentation, the transit system may require documentation of the individual's place of residence and, if the individual's disability is not apparent, of his or her disability, and must accept a certification by such individuals that they are unable to use the fixed route system.

Section 37.127(e) of the DOT ADA regulations requires that a public entity shall make the service to a visitor required by this section available for any combination of 21 days during any 365-day period beginning with the visitor's first use of the service during such 365-day period.

As explained in Appendix D, an eligible rider does not need to live within the ADA service area in order to be eligible for service. Eligibility is based on an individual's functional ability to use fixed route service. If an eligible rider lives outside of the paratransit service area and can get to a pickup point within the service area, he or she must be provided with service from the pickup point to destinations within the service area.

Determination Process

Section 37.123 of the DOT ADA regulations contains the regulatory eligibility standards for ADA complementary paratransit service, with further explanatory text provided in Appendix D to this section. As specified in §37.123(e)(1) & (2), eligibility is based on whether an individual can travel independently on the fixed-route system without the assistance of another person, other than the driver deploying the lift or ramp.

The review team evaluated RTD's processes for determining ADA paratransit eligibility, which includes initial determinations, appeals, and recertifications, as described in its Policy Manual. The review team also confirmed that current practice is consistent with its written policies.

RTD contracts with the Easter Seals Colorado (Easter Seals) for assistance in making determinations of eligibility. Staff at Easter Seals conduct in-person interviews and administer in-person physical and cognitive assessments at a certification center at the Easter Seals offices. RTD staff sends out applications, reviews any determinations that recommend denying eligibility, arranges for any appeals of initial determinations, conducts quality control, and manages the overall process.

Individuals interested in applying for ADA complementary paratransit eligibility are directed to RTD's Access-A-Ride Office (303-299-2960). Their receptionist handles general information calls or requests for application forms. If an application form is requested, the caller's name, address, date of birth, and phone number are entered into a database and an application form is sent. RTD has an application form for new riders and one for riders seeking recertification.

The application form for new riders is six-pages in length. The first two pages provide information about ADA paratransit eligibility and the RTD-determination process. Page 3, to be completed by the applicant, asks for general information (including name, address, phone number, and date of birth), and the name of a person who can be contacted in an emergency. The last three pages are to be completed by a medical professional familiar with the applicant. The portion of the application completed by the medical professional requests:

- A formal diagnosis of the applicant's disability or health condition
- A prognosis for the condition
- A duration if the disability is temporary
- Information about functional abilities such as maximum distances the applicant can travel independently outdoors, environmental conditions that affect travel outdoors, cognitive abilities, and safety skills
- For applicants with vision disabilities, whether the applicant can see steps and curbs or is affected by bright light or low-lighting conditions

Once new applicants have completed the application form, they are instructed to call the Access-A-Ride call center to schedule an in-person interview and functional assessment. First Transit, the call center contractor, manages the interview/assessment calendar. Interviews are typically

scheduled within two weeks from the time of the call. If an applicant needs transportation on Access-A-Ride to and from the interview, RTD provides the trips free of charge.

Easter Seals conducts interviews and functional assessments at its offices at 5755 W. Alameda Avenue in Denver. Easter Seals employs a Certification Manager who oversees the work and contract with RTD. Two Certification Specialists conduct interviews, administer some parts of the functional assessment, and provide administrative support. A physical therapist is also employed to conduct the physical functional assessments. The Certification Manager is a registered nurse. The Certification Specialists have backgrounds in disability services and nursing.

Applicants bring copies of completed applications to the interview/assessment. Easter Seals' staff first review the information contained in the application forms. They also review other documentation of disability brought to the interview. The staff then conducts an interview. RTD and Easter Seals have developed detailed interview guidance and an interview form.

Following the interview, applicants who indicate physical disabilities are asked to participate in an initial indoor physical functional assessment. The initial indoor assessment involves negotiating mock-ups of a curb and curb cut, walking through the building (which can be the equivalent of several blocks), and negotiating mock-ups of uneven surfaces.

If applicants are unable to negotiate the indoor physical functional assessment, the physical assessment portion of the process is considered complete. If applicants are able to negotiate the indoor assessment without significant difficulty, they are asked to participate in an outdoor physical functional assessment. The outdoor assessment follows a set route. It involves:

- Walking approximately one-quarter mile to an RTD bus stop that serves several routes
- Crossing a smaller access street with no traffic controls (signal or stop sign) on the way to the bus stop
- Boarding the correct bus and riding approximately 5 minutes to a small bus center
- Taking a short walk around the bus center area where there is a hill, a cross-slope, and uneven terrain
- Boarding a return bus at the bus center and traveling to the bus stop near the Easter Seals office
- Crossing a major signalized intersection to return to the Easter Seals offices

To assess applicants with cognitive disabilities, Easter Seals uses the full Functional Assessment of Cognitive Transit Skills (FACTS) test, which was developed by Project ACTION in 1996. Easter Seals also sometimes uses the Mini Mental Status Exam (MMSE) for applicants who primarily report issues with memory (e.g., dementia).

For applicants with psychiatric disabilities, the Easter Seals staff reported that they rely on information provided by the applicant and professionals familiar with the applicant and sometimes contact professionals for verification. The MMSE may also be administered if the disability is reported to affect memory.

For applicants with vision disabilities, RTD and Easter Seals determine the extent of vision loss. If applicants meet the criteria for being legally blind, some level of eligibility is granted—either conditional or unrestricted (unconditional). The type of eligibility granted depends on the specific travel issues reported by the applicant and verifying professionals.

Observations made during the physical and cognitive assessments are recorded on standardized forms. The indoor physical assessment form records whether applicants are able to navigate the mock-ups of the curb, curb cut, uneven terrain, and the indoor distances. The outdoor form records results of the various portions of that assessment. In terms of walking speed, the outdoor form indicates that 3–4 feet per second is considered a minimum street crossing walking speed. The form also indicates that applicants should be able to travel 1,320 feet (1/4-mile) in 16 minutes or less. Both of these minimum walking speeds are consistent with ADA paratransit eligibility determination model presented in Project ACTION’s technical assistance manual “Determining ADA Paratransit Eligibility: An Approach, Guidance, and Training Material,” published in 2003.

The form used to record results of the FACTS test indicates that RTD and Easter Seals consider applicants to have unrestricted eligibility if a score of 99.5 or less (of 146) is achieved. A score of 100–122.5 is considered to indicate that conditional eligibility might be appropriate. A score of 123 or greater is interpreted to indicate that the applicant is possibly capable of independent travel and may not be ADA paratransit eligible. These scoring ranges are consistent with the technical assistance provided by Project ACTION on the administration of the FACTS test.

Types of Eligibility Granted

Eligible applicants can be found to have “Unrestricted” paratransit eligibility, “Conditional” paratransit eligibility, or “Temporary” paratransit eligibility. Unrestricted eligibility is granted if it is determined that applicants cannot use the fixed route service under any reasonable conditions. Conditional eligibility is granted if it is determined that applicants can use the fixed route service under certain conditions and need paratransit service for only some trips. Unrestricted and Conditional eligibility are granted for up to four years. Temporary eligibility is granted if it is determined that the applicant’s ability to use fixed route service is likely to change in the short-term. For example, this might include a change in travel abilities due to planned or current treatments.

The types of conditions that define when a person with conditional eligibility can use the ADA paratransit service vary based on the specific travel barriers identified. The types of conditional eligibility are described on pages 3 and 4 of the Access-A-Ride User’s Guide (see Attachment E). Conditions of eligibility are also detailed in the attachment sent with letters informing applicants that they have been determined to have conditional eligibility (see Attachment F). The two lists are slightly different. In general, the types of conditions RTD used at the time of the review included:

- **Temperature Sensitive:** granted to applicants who are prevented from using the fixed route service when the temperature is very hot or very cold. RTD did not have specific “hot” and “cold” temperatures that it applied to all applicants. Rather, specific temperatures were applied to individual applicants. For example, “cold” for some applicants was 30 degrees; for other applicants, 40 degrees; for other applicants, 50 degrees. “Hot” might be 80 degrees or 90 degrees.
- **Dusk to Dawn:** granted to applicants affected by low-lighting conditions (e.g., night blindness).
- **Snow and Ice:** granted to applicants who are prevented from using the fixed route service because of an accumulation of snow or ice.

- **Rain:** granted to applicants if the possibility of rain could cause damage to their power wheelchair.
- **Unfamiliar Trips:** granted to applicants if RTD determines that they can be travel trained to use fixed route service to go to particular locations.
- **Trip Specific:** page 4 of the recertification instructions describes this category of conditional eligibility as allowing riders to travel to pre-determined locations. Examples given are trips to dialysis only or to work only.
- **Fatigue:** provides eligibility to riders who are unable to use fixed route service due to severe fatigue.

Page 4 of the User's Guide regarding "Unfamiliar Trip" eligibility, states:

An assessment will be made as to whether or not the applicant can be travel trained for a particular location. If the location is travel trainable, then this condition will allow (riders) to use Access-A-Ride for up to four (4) occasions to the same location within a six (6)-month period. We monitor the number of trips our passengers make to a specific location and after the fourth (4th) trip to the same address, the trip will no longer be provided. If the customer feels that they still require Access-A-Ride service to a particular location, beyond the fourth (4th) trip, they may call the Access-A-Ride administrative department for an updated evaluation via telephone. If it is determined that the specific trip in question cannot be taught by means of travel training, then the customer would continue to receive service to and from that location under the 'Trip Specific' condition.

This type of conditional eligibility limits the eligibility of individuals who RTD considers "travel trainable" to a maximum of four trips to the same location in a given six-month period. If an individual chose not to be travel trained, RTD would limit service. The DOT ADA regulations require that ADA paratransit eligibility determinations be made based on current independent travel abilities. Travel training cannot be required. If an applicant has successfully been travel-trained to use fixed route service to travel to a particular location consistently and with a reasonable level of effort, this can be taken into consideration in the decision of whether a particular trip can be taken on fixed route or ADA complementary paratransit. RTD's simply deeming an applicant travel-trainable, without the rider actually receiving instruction to successfully make a fixed route trip is not a valid reason to limit a rider's eligibility or deny a rider's eligibility outright.

Conversely, making a trip several times on Access-A-Ride does not substitute for receiving travel training to make the trip using fixed route service. Simply traveling to and from the same location on the paratransit service does not mean that the rider would know how make the trip using fixed route service.

A rider's current actual ability, not his/her potential to be travel trained to make a trip by a fixed route services, must be considered when making decisions about ADA paratransit eligibility. Even if a trip is travel trainable, until the rider is successfully trained to make the trip by fixed route, ADA paratransit must be provided. Even if a person makes several trips to a specific location via paratransit, this does not imply that he/she knows how to make the trip by fixed route.

Trip-specific conditional eligibility, which limits eligibility to specific purposes (such as trips to or from work or to dialysis, is also not consistent with the DOT ADA regulations, since it

inappropriately limits service to specific trip purposes and locations rather than considering an applicant's ability to travel to origins and destinations throughout the service area. A rider who cannot get to or from work by fixed route because of certain travel barriers could face those same barriers when traveling to other locations throughout the service area. It seems unlikely that there would be a barrier that would only apply to one specific trip purpose or one specific location. It would be more appropriate to first set the conditions of eligibility and then apply them to trips requested. Similarly, a person who cannot use fixed route service because of severe fatigue caused by renal disease or dialysis treatment could be prevented from making trips by fixed route to places other than just a dialysis treatment center for the same reasons. Such trip-specific eligibility would only be appropriate in cases when severe fatigue is only experienced immediately after the treatment but at no other times. Many persons with renal disease also experience severe fatigue at times other than just immediately following treatment. It would be more appropriate to grant conditional eligibility when severe fatigue prevents travel by fixed route rather than to tie eligibility to a specific trip purpose or location.

Both the User's Guide and the conditional determination letter attachment note that riders who are granted conditional eligibility based on temperature sensitivities or snow and ice must call to place trip requests 1 day in advance of the day of travel. These riders are not permitted to place trip requests more than 1 day in advance. This is done so that RTD and the rider will have a better idea of whether the conditions that affect travel will apply on the day of travel.

Other than snow and ice, RTD does not appear to include path-of-travel and endurance issues such as maximum walking distance, inaccessible paths of travel due to a lack of sidewalks, steep terrain, cross-slopes, lack of curb cuts or other barriers, and street crossing when setting conditions of eligibility. While these issues are assessed in the determination process, they do not appear to be applied in conditional eligibility determinations.

Final Decisions and Letters of Determination

Sections 37.125 (d) and (e) of the DOT ADA regulations require that letters of determination include the following five points of information:

1. Name of the eligible individual
2. Name of the transit provider
3. Telephone number of the entity's paratransit coordinator
4. Expiration date for eligibility
5. Any conditions or limitations on the individual's eligibility, including the use of a PCA

This section also requires that determinations of eligibility be in writing, and if applicants are found to be ineligible, the determination must state the specific reasons for the decision.

Appendix D to the regulations indicates that these reasons cannot be a simple recital that the person has been found to be able to use fixed route service. Decisions that deny or limit eligibility also must also include information about the process for appealing the decision.

Easter Seals staff makes the final determinations to grant unrestricted, conditional, or temporary eligibility and sends these letters of determination directly to applicants from the Easter Seals offices. RTD notes that they periodically review a sample of these letters for consistency and thoroughness.

RTD reviews all determinations of ineligibility made by Easter Seals. If RTD concurs, RTD sends the letter of determination by certified mail. If RTD does not concur, the decision is discussed and changed if necessary.

The review team read sample letters of determination granting conditional or temporary eligibility and sample letters denying eligibility. These letters informed applicants of their right to appeal the initial determination with instructions for submitting an appeal. The appeal information was not included in the reviewed letters granting temporary eligibility. Since temporary eligibility is a restriction on eligibility, appeal information must be provided.

In addition, as required by Section 37.125(d) of the DOT ADA regulations, the sample letters indicated that Easter Seals and/or RTD staff provides the specific reasons and observations that led to the determinations.

Recertification

Riders whose eligibility is about to expire are notified by mail. Notices are sent out 60 days prior to the date of expiration of eligibility. The notice includes a recertification application packet.

RTD has created a process that is designed, whenever possible, to grant recertification for current riders without requiring that they participate in another in-person interview/assessment. RTD has also established a policy that limits the number of times that riders have to seek recertification. If riders have gone through the recertification process at least once and it is determined that they will be at least 80 years old when their recertified eligibility is scheduled to expire, they are granted lifetime eligibility. Also, after the third time a rider goes through the eligibility process, lifetime eligibility is granted and they no longer have to request recertification, regardless of age, if it is also determined that their disability and functional abilities are not likely to change.

While the recertification application packet is considerably longer than the packet used for new riders, it is designed to incorporate the elements of the initial determination process in written form and eliminate the need for the in-person interview. The recertification packet includes a six-page description of ADA paratransit eligibility and instructions for completing the 12-page application form. The applicant completes the first nine pages with responses to most of the questions typically asked in the new rider application plus the in-person interview. This includes:

- General information (name, address, emergency contact)
- Types of mobility aids used
- The need for a PCA
- A description of the health condition or disability that prevents fixed route use
- Whether the disability is temporary
- Whether the applicant can perform specific functional activities that are related to using fixed route services
- Whether the applicant has received travel training
- The three most frequent trips made by the applicant and how they get to these places now
- A release form to allow a named professional to be contacted for further information

A licensed health care provider must complete the last three pages of the application used for recertification (Professional Medical Verification Form). This portion of the form requests information similar to the professional verification portion of the application for new applicants (described above).

Easter Seals staff members review applications for recertification. If a decision can be made from the submitted application and the results of the previous in-person interview/assessment, staff can recertify an application without an in-person interview/assessment. RTD and Easter Seals staff noted that if there has been no change in the disability or health conditions, or the types of mobility aids used, an applicant can be recertified. If the recertification application indicates a change in condition or mobility aids used (e.g., a rider changes from a manual to a power wheelchair), riders may be asked to participate in an in-person interview and assessment. In these cases, Easter Seals contacts applicants in writing indicating that they must participate in another in-person interview/assessment. Riders then call the Access-A-Ride call center for an appointment. The interview and assessment process for riders seeking recertification is the same as for new applicants.

Visitor Eligibility

Section 37.127 of the DOT ADA regulations requires that paratransit service be made available to visitors who do not reside in the jurisdiction(s) served by the transit system. Visitors who present documentation that they are ADA paratransit eligible in the jurisdiction in which they reside are to be treated as eligible.

For visitors with disabilities who do not present such documentation, the transit system may require documentation of the individual's place of residence and, if the individual's disability is not apparent, of his or her disability, and must accept a certification by such individuals that they are unable to use the fixed route system.

Section 37.127(e) of the DOT ADA regulations requires that a public entity shall make the service to a visitor required by this section available for any combination of 21 days during any 365-day period beginning with the visitor's first use of the service during such 365-day period.

The RTD Access-A-Ride User's Guide states "Visitors to the RTD area can use Access-A-Ride for up to 21 days a year by providing documentation that they have a health condition or disability which prevents them from using regular buses."

6.3 Reported Determination Outcomes

At the time of the on-site review, it was noted that RTD had 24,264 ADA paratransit eligible individuals in the system. Application and eligibility determination statistics from August 2008 through July 2009 were reviewed. During this period, Easter Seals received 3,806 applications for ADA paratransit eligibility. This included 2,513 requests from new applicants and applications from 1,293 riders seeking recertification. During this period, Easter Seals received an average of 317 requests for ADA paratransit eligibility each month.

Table 6.1 shows the outcomes for determinations made during the 12-month period from August 2008 through July 2009. As shown, final determinations were made on 3,761 applications. Forty-five applications (1.2 percent) were withdrawn by applicants. Of the 3,761 determinations made, 2,602 (69 percent) found applicants to have unrestricted eligibility. Another 603 applicants (16 percent) were granted lifetime eligibility as a result of the recertification process.

Further, 207 applicants (5.5) were granted conditional eligibility, 270 (7.2 percent) were granted temporary eligibility, and 79 applicants (2.1 percent) were found to ineligible. As noted above, none of the current riders seeking recertification was found ineligible during this time period.

Table 6.1 – Determination Status/Outcomes (August 2008-July 2009)

Status/Outcome	New Applicants	Recertifications	Total
Unrestricted Eligibility	1,987	615	2,602
Conditional Eligibility	195	12	207
Temporary Eligibility	251	19	270
Lifetime Eligibility	0	603	603
Not Eligible	79	0	79
Sub-Total (Determinations)	2,512	1,249	3,761
Applications Withdrawn	1	44	45
Totals	2,513	1,293	3,806

6.4 Process Observations and Reviews of Recent Determinations

Review of Application Processing Times

Section 37.125(c) of the DOT ADA regulations requires public entities to make a determination of ADA paratransit eligibility within 21 days of the receipt of a completed application, or treat the applicant as eligible and provide service on the 22nd day and thereafter until the eligibility determination is made.

The review team examined RTD policies and practices regarding the timely processing of applications. For new applicants, RTD considers the application to be complete once the in-person interview/assessment has been conducted and the applicant has provided a completed application form to Easter Seals staff. For recertifications, where decisions are based on paper applications, the application is complete once all required information, including professional verification information, is received by Easter Seals.

The review team first determined how quickly interviews/assessments were scheduled when applicants called after completing a paper application form. Records at the call center indicated that appointments were typically available within two weeks of the initial call.

Easter Seals staff indicated that unrestricted, conditional, and temporary letters of determination are typically sent to applicants within 2 days of the completion of the in-person interview/assessment. Letters of ineligibility are typically forwarded to RTD for review within one week.

RTD typically reviews ineligibility recommendations and sends letters of determination to these riders within 2 days of receipt of information from Easter Seals. The time required to make determinations that involve in-person interviews/assessments is therefore typically 1 week or less for unrestricted, temporary, and conditional determinations, and two weeks or less when Easter Seals recommends that applicants be found ineligible and forwards the information to RTD.

For recertifications, Easter Seals staff noted that determinations are typically made within 2 days if there has been no change in disability or mobility aids used. If there has been a change and

another in-person interview/assessment is needed, Easter Seals sends a letter to applicants indicating that they must call to schedule an interview/assessment. Including the mailing time, plus the two weeks then needed to schedule another appointment, this can take up to three weeks. Even if Easter Seals then makes a final determination within 2 days of the interview/assessment, total processing time from receipt of the completed application would appear to be at least three weeks. If Easter Seals recommends a determination of ineligibility and forwards the recommendation and material back to RTD for a final decision, it is likely that the time from receipt of the completed application to a final decision would exceed the maximum 21 calendar days.

Easter Seals and RTD staff stated that they could not recall a situation where an existing rider was found ineligible in the recertification process. Eligibility might be changed from unrestricted to conditional, but current riders have not been found ineligible during the recertification process. A review of the determination records indicated that none of the 1,249 applicants requesting recertification between August 2008 and July 2009 were denied eligibility.

While the recertification process can take longer for some riders than the process for new applicants, because RTD notifies riders of the need to recertify 60 days in advance, this allows adequate time for the potentially longer recertification process without leading to lapses in eligibility.

To get a better sense of the processing time for recertification and potential lapses in eligibility, the review team obtained records from Easter Seals for 20 recent recertifications that involved in-person interviews/assessments. This information is provided in Table 6.2. For each determination, the table includes the date the recertification notice was sent to the (Expiration Notification Mailed), the date a completed application form was received (Application Form Received), the date a letter asking the rider to participate in an in-person interview/assessment was mailed (Letter Requesting Interview Mailed), the date the interview/assessment was conducted (Interview Appointment Date), and the date that a final determination was made and a letter sent (Date of Final Determination Letter).

As shown, the recertification notices were sent at least 60 days in advance in all 20 cases. Initial reviews of applications were also done quickly in all 20 cases. Letters asking riders to participate in an in-person interview/assessment were sent the same day the applications were received in 11 of the 20 cases. An additional eight letters were sent within 3 days, and only one letter was sent 7 days from the date the application was received.

In two cases, riders did not follow through with the required in-person interview and therefore final determinations were not made. In some cases, riders did not follow through and schedule in-person interview appointments until closer to the date that their eligibility was scheduled to expire. However, in the 18 cases where in-person interviews were scheduled and conducted, Easter Seals made the final determinations quickly. Nine of the 18 final determinations were made on the same day as the in-person interview/assessment. In another five cases, final decisions were made within 1 day of the interview/assessment, and in two cases the final decision took 4 or 5 days. In one case, the final decision took 9 days and in one case it took 15 days. In both cases where determinations took more than 5 days from the date of the interview/assessment, the person's eligibility remained valid and there was no lapse or expiration of eligibility.

Table 6.2 - Processing Times For 20 Randomly Selected Recent Recertifications That Included In-Person Interviews/Assessments

Rider	Original Expiration Date	Expiration Notification Mailed	Application Form Received	Interview Request Letter Sent	Interview Appointment Date	Date of Final Determination Letter
1	6/29/08	4/1/08	5/20/08	5/20/08	Dropped*	NA
2	5/10/08	3/3/2001	5/22/08	5/22/08	7/21/08	7/21/08
3	4/27/08	2/1/08	5/28/08	5/28/08	6/25/08	6/25/08
4	7/29/08	5/1/08	5/29/08	5/29/08	6/12/08	6/12/08
5	8/21/08	6/2/08	6/19/08	6/19/08	Dropped*	NA
6	8/11/08	6/2/08	7/8/08	7/9/08	7/24/08	7/24/08
7	8/29/08	6/2/08	7/21/08	7/22/08	8/11/08	8/12/08
8	7/11/08	5/1/08	7/22/08	7/22/08	8/11/08	8/11/08
9	10/5/08	8/1/08	8/4/08	8/7/08	8/18/08	8/18/08
10	7/15/08	5/1/08	8/19/08	8/21/08	8/29/08	9/2/08
11	10/22/08	8/1/08	8/25/08	8/25/08	9/3/08	9/3/08
12	10/21/08	8/1/08	9/3/08	9/5/08	9/15/08	10/06/08**
13	11/27/08	9/2/08	9/15/08	9/16/08	9/23/08	10/8/08
14	11/21/08	9/2/08	10/6/08	10/6/08	10/13/08	10/13/08
15	11/16/08	9/2/08	10/20/08	10/27/08	11/6/08	11/6/08
16	11/30/08	9/2/08	10/29/08	10/29/08	11/12/08	11/13/08
17	12/19/08	10/1/08	11/3/08	11/3/08	11/12/08	11/13/08
18	12/8/08	10/1/08	11/10/08	11/12/08	12/4/08	12/9/08
19	10/18/08	8/1/08	11/21/08	11/21/08	12/4/08	12/5/08
20	11/22/08	9/2/08	11/21/08	11/24/08	1/7/09	1/8/09

*Files were dropped because client had not scheduled an appointment after six months and the release for professional verification had expired

**In this instance, the client had indicated having previously received travel training; a decision was pending receipt of information regarding travel training but was never received.

RTD informs new applicants of their right to receive service if a determination is not made within 21 days of the receipt of a completed application. The second page of the introductory information that accompanies an application form for new riders states:

You will receive a letter **within 21 calendar days from the date you complete your in-person interview, assessment and all necessary documentation has been received by the ADA Assessment Center.** If a decision has not been determined within 21 days, you will receive service until a determination has been reached.” (Emphasis included in text)

The information sent to riders seeking recertification contains only part of this information. Page 5 of the introductory information sent with an application form to riders seeking recertification only states:

“You will receive a letter **within 21 calendar days from the date you complete your in-person interview, assessment and all necessary documentation has been received by the ADA Assessment Center.**” (Emphasis included in text)

The letter sent to riders seeking recertification who are asked to participate in another in-person interview/assessment does not include information about the right to receive service if a decision is not made within 21 days.

Reviews of Recent Determinations

To review the appropriateness of determinations, several recent applications were randomly pulled from the files and the eligibility determination was reviewed and discussed with RTD. This included 16 applications from individuals who were denied eligibility, 10 from applicants granted conditional eligibility, and four from applicants granted temporary eligibility.

All four temporary eligibility determinations appeared appropriate. In each case, there was clear documentation indicating that the disability or health condition was temporary. The term of eligibility granted matched or slightly exceeded the expected duration of the disability in each case.

Fifteen of the 16 determinations that found applicants ineligible also appeared appropriate. In most cases, applicants indicated in the paper applications or in the interviews that they could perform all of the tasks needed to use fixed route service. The professional verification information also indicated no limitations in key functional skills needed to use fixed route services.

In one case, the applicant appeared for the interview/assessment using a cane. She indicated that she had fibromyalgia and ongoing orthopedic issues that were the result of an accident several years ago. The professional verification confirmed the lingering issues related to the accident and indicated that the applicant had occasional flare-ups that limited her mobility. The indoor physical assessment indicated a medium risk of falling (20 of 28 on the Tinetti Gait and Balance test), and a slow walking pace (54 seconds to travel 44 feet). The determination granted her conditional eligibility only for times when there was snow. The decision was based on the applicant's use of her powered scooter rather than her cane.

In this case, where the applicant indicated the use of two mobility devices, it would have been more appropriate to grant one type of eligibility based on the use of a cane, and then a second type of eligibility when she was using her powered scooter. It should not be assumed or required that she always travel with one particular type of mobility device. Based on the information in the file, her eligibility while using her cane should have included conditions related to maximum reasonable walking distance, possibly major street crossings, given her slow walking speed, and snow and ice, due to her balance issues. Eligibility when using a powered scooter should also have considered path-of-travel barriers, such as the lack of a sidewalk, lack of curb cuts, or other path-of-travel barriers that would prevent travel using a powered scooter.

The review of the 10 determinations that resulted in conditional eligibility found that, while restricted eligibility appeared appropriate for all 10 applicants, important travel limitations were not included in six of the 10 cases. A summary of these six cases is provided below.

- One applicant indicated a degenerative neurological condition and appeared for the interview/assessment using a powered wheelchair. The applicant completed the physical

assessment using his powered wheelchair with no observed difficulties. He was granted conditional eligibility for times when there is significant snow or ice. This determination should also have granted eligibility when there was no safe, accessible path of travel to or from the bus stops, e.g., no sidewalks, curb cuts, inaccessible sidewalks, etc., or when bus stops are inaccessible. During times when there is no snow or ice, these types of path-of-travel barriers and bus-stop-access issues would certainly prevent this applicant from using fixed route services and paratransit should be provided.

- One applicant indicated a congenital orthopedic condition and indicated that she sometimes used a manual wheelchair and at other times used a powered wheelchair. Medical verification indicated she had only limited mobility when using her manual wheelchair. The applicant's named medical professional indicated the maximum walking distance for her was one block. The applicant participated in the assessment using her manual wheelchair and indicated that her powered wheelchair is problematic and doesn't always work. She had difficulty completing the limited indoor physical assessment using her manual wheelchair. She was granted conditional eligibility when there is significant snow or ice, which presumed that she would always be traveling using her powered wheelchair. It would have been more appropriate to make the determination based on her manual wheelchair and then provided transportation to her on this basis. Maximum distance, path-of-travel issues, and bus-stop-accessibility issues should also have been included as conditions of eligibility. Different eligibility might then have been granted for times that the applicant traveled with her powered wheelchair. Again, though, even traveling with her powered wheelchair, path-of-travel barriers (e.g., the lack of a sidewalk or other safe, accessible path of travel, and the lack of curb cuts), and bus stop access barriers should have been included in the list of eligibility conditions. It might also then have been appropriate to request that the applicant participate in another assessment using her powered wheelchair. In cases such as this, it would be more appropriate to grant separate eligibility based on the device being used and then apply that eligibility on the day of service to the device that the rider reports they will be using. If RTD chooses not to grant more than one type of eligibility, it would then be appropriate to base general eligibility on the device that provides the least mobility. Basing eligibility on use of the device that provides the greatest mobility would only be appropriate if the rider indicates that they always travel using that device.
- Another applicant who also uses both a manual and powered wheelchair appeared for the assessment with his manual wheelchair. He was able to complete both the indoor and outdoor physical functional assessments without any observed difficulty and was granted conditional eligibility only when significant snow or ice existed. For this applicant, it does not appear that distance/endurance or street crossing were issues and eligibility would appear to be similar whether he used a manual or powered wheelchair. However, for either type of mobility device, path-of-travel issues and bus-stop-access issues should have been included in determining conditional eligibility.
- Another applicant who uses a powered scooter completed both the indoor and outdoor assessment with no observed difficulty. Snow and Ice conditional eligibility was granted. Again, path-of-travel as well as bus-stop-access issues should have been included in the conditions of eligibility.

- Another applicant successfully completed the indoor and outdoor assessment using her powered wheelchair. She was granted Rain and Snow and Ice conditional eligibility. Again, path-of-travel as well as bus-stop-access issues should have been included in the conditions of eligibility.
- Similarly, the sixth applicant successfully completed the indoor and outdoor assessment using a powered wheelchair. She was granted Rain and Snow and Ice conditional eligibility. Again, path-of-travel as well as bus-stop-access issues should have been included in the conditions of eligibility.

In general, the review of selected applications indicated that RTD does not appear to adequately consider path-of travel issues, maximum walking distances, street-crossing issues, or bus-stop-accessibility issues in its determinations of conditional eligibility. To investigate this further, the review team obtained a complete printout of all riders with conditional eligibility showing the specific conditions. None of the riders on the list had conditions related to maximum walking distance, street crossings, inaccessible paths of travel, or inaccessible bus stops.

Lack of attention to path-of-travel barriers in eligibility determinations is also apparent in the Appeal Hearing Guidelines (discussed below), which is provided to Appeal Committee members. The guidelines state that Category 3 eligibility “is intended to be a ‘very narrow exception’ to the general rule that difficulty traveling to or from boarding or disembarking locations is not a basis for eligibility. In other words, the whole route from a person’s home to a bus stop cannot be considered, only the bus stop area itself. For example, a person in a wheelchair or with a visual impairment might have difficulty if a bus stop is rock or gravel. This interpretation of Category 3 eligibility is inconsistent with the regulations.

Appeal Process

Section 137.125(g) of the DOT ADA regulations contains the requirements for administering the eligibility appeals process through which individuals who are denied eligibility can obtain review of the denial. The transit system is permitted to require that an appeal be filed within 60 days of the denial of an individual's application. The appeals process must include an opportunity for the applicant to be heard and to present information and arguments. The decision on the appeal must be made by a person not involved with the initial decision to deny eligibility, must be communicated in writing and must explain the reasons for the decision. During the pendency of the appeal, the transit system is not required to provide paratransit service to the applicant. However, if a decision is not made within 30 days of the completion of the appeal process, the applicant must be provided paratransit service from that time until and unless a decision to deny the appeal is issued.

Individuals who do not agree with the initial eligibility decision can request an appeal up to 60 days after the receipt of the initial determination letter. To request an appeal, individuals are instructed to call the RTD Access-A-Ride office and are sent a “Request for Appeal of Access-A-Ride Eligibility Determination Form” by certified mail. The form requests general information (name, address, phone number) and a statement from the applicant on why he or she does not agree with the determination. The form also encourages (but does not require) appellants to submit or bring additional documentation of disability to the hearing and strongly encourages appellants to attend the hearing.

When a completed form is returned, a date for the appeal is set and the appellant is notified by certified mail of the date and time of the hearing. If needed, transportation to the hearing is provided on Access-A-Ride free of charge.

At the time of the review, the RTD Appeal Committee was comprised of four people outside of RTD. This included three persons with disabilities who are Access-A-Ride riders, one member of ADAPT, a national disability-advocacy organization with an office in Denver, and one person with a disability who is not an Access-A-Ride rider. An RTD staff person attends all hearings as a resource but is not a voting member of the Appeal Committee.

The committee meets at least monthly. RTD therefore has the ability to schedule appeals within two weeks of the receipt of a completed Request for Appeal form.

RTD provided the review team with information about the 29 appeals heard from January 2009 through July 2009. The Appeal Committee upheld 25 of the original determinations and made changes to four determinations.

The review of the appeals identified two issues with the instructions given to members of the Appeal Committee. RTD provides Appeal Committee members with a seven-page Appeal Hearing Guidelines document to assist them with making decisions (see Attachment G). Page 6 of this document notes that issues with “safety in the community” does not confer ADA paratransit eligibility. It correctly points out that “a person’s inability to recognize a dangerous or hazardous situation or condition due to their cognitive disability” is a different issue and should be considered. It then states “this can be looked at totally differently than a person with epilepsy who is afraid of experiencing a seizure at a bus stop or on the bus. The seizure, while presenting a physical safety issue, does not interfere with their innate ability to use fixed route service.”

Instructions given to Appeal Committee members in the Appeal Hearing Guidelines include an incorrect interpretation of ADA paratransit eligibility for individuals with epilepsy or seizure conditions. The guidance suggests that epilepsy does not “interfere with (a person’s) innate ability to use fixed route service.” The guidance provided on seizure conditions do not consider that there are different types of seizures and that some types, such as tonic-clonic (grand mal) seizures and complex partial seizures can result in a loss of consciousness, severe fatigue, and disorientation to time and place once the seizure is over. If these effects were experienced while traveling on fixed route service, particularly while crossing a street or on the way to or from a bus stop, it could pose a serious safety issue and could prevent reasonable, consistent use of the fixed route system. Frequent seizures of this type, particularly if they are not effectively controlled by medication, could confer ADA paratransit eligibility.

The document also provides a list of questions that are to be asked of all appellants (page 7), including “How far is the nearest bus stop to your home and how far do you feel you are able to walk?”

ADA paratransit eligibility should consider an applicant’s ability to travel to and from bus stops throughout the ADA paratransit service area. Knowing if a person can get to a bus stop nearest his or her home may be helpful in partially determining eligibility for trips that begin at the home, but is of limited value in making broader eligibility determinations. An applicant may be able to get to the bus stop closest to her home, but may not be able to get from the bus to her final destination or to other bus stops when her trip does not begin at her home. Whether a bus

stop can be reached depends on the distance to and from each bus stop that may be used at some time in the future and also on the various paths of travel to and from each bus stop. Rather than asking about travel to the bus stop nearest the home, it would be more appropriate to determine the maximum walking distance and possible path-of-travel issues faced by the applicant, make these the conditions of eligibility, and then apply these conditions to particular trips made in the future.

6.5 No-Show Suspension Policy

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 systems 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 less than 1–2 hours of the scheduled trip time.

As specified in §37.125(h)(1), trips missed by riders for reasons beyond their control, including trips missed due to operator or transit system error, cannot be a basis for determining that such a pattern or practice exists. Appendix D to this section describes a “pattern or practice” as involving “intentional, repeated or regular actions, not isolated, accidental or singular incidents.”

The Access-A-Ride User’s Guide (pages 7 and 8) explains RTD’s policy regarding no-shows and late cancellations. No-shows are defined to occur when passengers fail to board the paratransit vehicle when it arrives to pick them up. Late cancellations are defined to occur when riders cancel a trip less than two hours before the start of the scheduled pickup window.

Page 8 of the User’s Guide indicates that if a rider accumulates four or more no shows or late cancellations within a 30-day period, they will be suspended from service for two weeks.

At the time of the review, RTD staff stated that this policy has not been implemented, but that they were in the process of working with RouteMatch to develop a module that would prepare a monthly report identifying all riders with four or more no shows and late cancellations for generating a standard suspension letter. A copy of the proposed standard letter is provided as Attachment H.

RTD indicated that the current plan was to have the system automatically generate these letters based on the trip files. No double-check of the trip records was planned to verify that the no-shows or late cancellations recorded in the system were not caused by late arrivals, not waiting the full required time, geo-coding errors, or other system or operator errors.

RTD noted that the planned process was to send the automatically generated letters approximately 24 days prior to the proposed suspension. Riders would then have approximately 21 calendar days to appeal the proposed suspension. As detailed in the appeal information attached to the suspension notification letter, riders could appeal by sending a letter to RTD “explaining the circumstances for each violation listed.” The RTD Senior Manager of Contracted Services would first review the written information and the rider would be informed of the Senior Manager’s decision regarding the suspension. If the suspension were still deemed warranted, the rider’s letter would be forwarded to the RTD Appeal Committee and a date and time for a formal appeal would be set. The rider would be notified of the date and time of the appeal hearing.

While the proposed letter indicates that riders can appeal the suspension, it does not clearly indicate that no-shows beyond the control of the rider would not be counted against them. Section 37.125(h)(1) of the DOT ADA regulations states that “trips missed by the individual for reasons beyond his or her control (including, but not limited to, trips that are missed due to operator error) shall not be a basis for determining that such a pattern or practice exists”.

The policy being considered, which is based on an absolute number of no-shows and late cancellations, may not define a true pattern or practice of no-shows and late cancellations. Four no-shows or late cancellations (two round trips) by a rider who travels every day to and from work as well as other locations is very different from the same number of no-shows and late cancellations by a rider who travels only occasionally. The policy does not consider the trip-making history of the rider and the extent of no-shows and late cancellations compared to the total number of trips scheduled. When FTA offers technical assistance on this topic, it suggests looking at the system percentage of no-shows and late cancellations and adjusting the number upward, so as not to penalize frequent riders.

6.6 Findings

1. The interpretation of Category 3 in the Appeal Hearing Guidelines is incorrect. The RTD guidelines state “Category 3 eligibility is intended to be a very narrow exception to the general rule that difficulty traveling to or from boarding or disembarking locations is not a basis for eligibility. In other words, the whole route from a person’s home to a bus stop cannot be considered, ONLY the bus stop area itself can be considered. For example, a person in a wheelchair or with a visual impairment might have difficulty if a bus stop is rock or gravel.” In fact, Category 3 eligibility outlined in the DOT ADA regulations at 49 C.F.R. § 37.123 specifically recognizes that the interaction between an individual’s disability and architectural and environmental barriers may prevent an individual from traveling to or from a boarding location; such individuals would be eligible where such barriers exist along the route to and from the bus stop.
2. Instructions given to Appeal Committee members in the Appeal Hearing Guidelines include an incorrect interpretation of ADA paratransit eligibility for individuals with epilepsy or seizure conditions. The guidance suggests that epilepsy does not “interfere with (a person’s) innate ability to use fixed route service.” Certain types of seizure conditions, which cause a loss of consciousness, severe fatigue, and disorientation, can prevent travel on fixed route services.
3. RTD’s conditional eligibility category of Unfamiliar Trips or Infrequent Trips does not appear to comply with regulatory definitions of eligibility. Under DOT ADA regulations at 49 C.F.R. § 37.123, it is a rider’s current actual ability, not his/her potential to be travel trained to make a trip by fixed route services that must be considered when making decisions about ADA paratransit eligibility. Even if a trip is travel trainable, until the rider is successfully trained to make the trip by fixed route, ADA paratransit must be provided. Even if a person makes several trips to a specific location via paratransit, this does not imply that he/she knows how to make the trip by fixed route. Riders with this type of conditional eligibility should be contacted and their eligibility revised accordingly.
4. Trip-specific conditional eligibility, which limits eligibility to specific purposes (such as trips to or from work or to dialysis), is not consistent with the DOT ADA regulations at 37.123 as

explained in Appendix D to Part 37 of the DOT ADA regulations, since it inappropriately limits service to specific trip purposes and locations rather than considering an applicant's ability to travel to origins and destinations throughout the service area. A rider who cannot get to or from work by fixed route because of certain travel barriers could face those same barriers when traveling to other locations throughout the service area. It seems unlikely that there would be a barrier that would only apply to one specific trip purpose or one specific location. It would be more appropriate to first set the conditions of eligibility and then apply them to trips requested. Similarly, a person who cannot use fixed route service because of severe fatigue caused by renal disease or dialysis treatment could be prevented from making trips by fixed route to places other than just a dialysis treatment center for the same reasons. Such trip-specific eligibility would only be appropriate in cases when severe fatigue is only experienced immediately after the treatment but at no other times. Many persons with renal disease also experience severe fatigue at times other than just immediately following treatment. It would be more appropriate to grant conditional eligibility when severe fatigue prevents travel by fixed route rather than to tie eligibility to a specific trip purpose or location.

5. Letters of determination sent to riders determined to have temporary eligibility do not include information about the right to appeal or the appeal process. Since a temporary determination limits the level of eligibility granted, under DOT ADA regulation 49 C.F.R. § 37.125(g), riders must have an opportunity to appeal these decisions and should be informed of the appeal process.
6. RTD's Request for Appeal of Access-A-Ride Eligibility Determination Form requests a statement from the applicant on why he or she does not agree with the determination. The DOT ADA regulations at 49 C.F.R. 37.125(g) state that applicants have the right to be heard (in person). Appellants should not be required to explain the reasons for their disagreement in writing in order to have an appeal scheduled.
7. RTD's policy to suspend riders who incur four or more no-shows or late cancellations in a 30-day period does not consider the frequency of no-shows and late cancellations and may not always define a pattern or practice of missing scheduled trips, as required by DOT ADA regulations at 49 C.F.R. § 37.125(h). Four no-shows or late cancellations (two round trips) by a rider who travels every day to and from work as well as other locations is very different from the same number of no-shows and late cancellations by a rider who travels only occasionally. The policy does not consider the trip-making history of the rider and the extent of no-shows and late cancellations compared to the total number of trips scheduled.
8. RTD's proposed letters to riders notifying them of a suspension of service due to a pattern or practice of late cancellations or no-shows do not inform riders that no-shows that were beyond their control, including no-shows caused by system or operator error, are not counted against them. Under DOT ADA regulations at 49 C.F.R. § 37.125(h), the transit provider must provide the rider the specific basis for the proposed suspension, including the definition of a no-show, so as to fully inform the rider that only no-shows within their control are counted against them for purposes of a suspension in service.

6.7 Recommendations

1. RTD should use the information generated in the interview and assessment processes about maximum reasonable walking distances and path-of-travel barriers to set conditions of eligibility. The types of conditions of eligibility should be expanded to include path-of-travel barriers, maximum walking distances, inaccessible bus stops, and streets and intersections that cannot be safely crossed by certain applicants. These conditions should be set based on their potential limitation of travel anywhere in the ADA paratransit service area and not be based on whether or not they apply to getting to or from the bus stop nearest the home. RTD should include these types of conditions in final determinations for individuals who are prevented from traveling because of these barriers.
2. RTD should consider barriers to travel throughout the service area, not just whether these types of barriers exist on the path-of-travel from the person's home to the nearest bus stop or for particular trips that they now make. RTD should also revise the eligibility for current riders with conditional eligibility that are affected by these types of barriers but whose current eligibility does not include these barriers to travel; RTD should inform these riders of the change in eligibility.
3. RTD should develop more appropriate guidelines for making determinations of eligibility for riders with seizure conditions. RTD should work with appropriate local disability organizations, such as the Epilepsy Foundation to create these guidelines. Material developed by the National Transit Institute and Project ACTION on eligibility considerations for persons with seizure conditions should also be used.
4. The Appeal Hearing Guidelines also instruct Appeal Committee members to always ask "How far is the nearest bus stop to your home and how far do you feel you are able to walk?" ADA paratransit eligibility process must consider an applicant's ability to travel to and from bus stops throughout the ADA paratransit service area rather than just to the bus stop nearest their home. Rather than asking about the ability to travel to the bus stop nearest the home, it would be more appropriate to determine the maximum walking distance and possible path-of-travel issues faced by the applicant, make these general conditions of eligibility, and then apply these conditions to particular trips requested by the riders.
5. RTD should revise its procedures for granting eligibility for only certain trips. For example, rather than granting eligibility for dialysis trips only, which constitutes a trip limitation, it would be more appropriate to grant eligibility when severe fatigue prevents the applicant from getting to or from bus stops or using the fixed route system. The underlying issues that prevent travel should be reflected in the determinations, rather than the specific trips that applicants might indicate they currently need to make. Similarly, conditional eligibility based on the underlying reasons why riders cannot get to work locations or other destinations should be granted rather than eligibility for only these trip purposes or locations.
6. RTD should revise its eligibility-determination policy so that eligibility decisions are based on the current abilities of applicants to use fixed route rather than whether a trip is potentially travel trainable. RTD should still encourage applicants with potential to enroll in travel training. However, the actual determination of eligibility should consider actual travel abilities at the time of the determination rather than potential abilities. The policy of restricting eligibility once riders have used Access-A-Ride several times to go to a particular

location must also be changed. RTD must only consider whether riders have used fixed route service without unreasonable risk or effort as a basis for ADA paratransit eligibility, not whether they have gone to certain locations using paratransit.

7. For riders who use more than one type of mobility device when traveling in the community, RTD either must develop separate eligibility appropriate to each type of device or should base a general determination on the device that provides the rider with the least mobility. Eligibility determinations for riders who use more than one type of mobility device appear to be based on the mobility device that provides the greatest mobility, even when the applicant indicates that they may not always travel using that device. The review of sample determinations found that when riders appeared for the in-person interview using a cane or manual wheelchair and informed Easter Seals staff that they also had a powered scooter or wheelchair, the determination was based on their use of the powered devices even though they may not always use those powered mobility aids. In these cases, it would be more appropriate to grant separate eligibility based on the device being used and then apply that eligibility on the day of service to the device that the rider reports they will be using. If RTD chooses not to grant more than one type of eligibility, it would then be appropriate to base general eligibility on the device that provides the least mobility. Basing eligibility on use of the device that provides the greatest mobility would only be appropriate if the rider indicates that they always travel using that device.
8. RTD should review its records of riders—primarily those with conditional eligibility—and identify those whose eligibility has been incorrectly set for any of the reasons cited in this review. The determination records of these riders' application information, interview records, assessment records, and professional verification information should be reviewed and used to make more appropriate determinations. These riders should be notified of changes in their eligibility based on these reviews.
9. RTD must provide information about the right to appeal and the appeal process in letters sent to applicants granted temporary eligibility.
10. RTD must inform riders seeking recertification that they will be provided paratransit service if determinations are not made within 21 days of the receipt of a completed application and participation in an in-person interview/assessment, if needed. This information should be included in the introductory information in recertification application packets as well as the letters informing riders seeking recertification that they need to appear for another interview/assessment.
11. RTD should consider revising its policy to start the 21-day processing period after an applicant's participation in an interview and submission of a completed written application. This would address circumstances when an applicant arrives for an interview but does not present a completed application.
12. RTD should revise its Request for Appeal of Access-A-Ride Eligibility Determination Form to invite appellants to submit an optional statement indicating why they disagree with the initial determination, but this should not be a required part of requesting an appeal.
13. RTD may not base suspensions only on an absolute number of no-shows and late cancellations. RTD must account for the frequency of no-shows and late cancellations in order to determine whether a pattern or practice of missing scheduled trips has been

established. This might be done by generating a list each month of all riders with more than a threshold number of no-shows and late cancellations. The record of these riders should then be reviewed to determine the total number of trips they scheduled during the period as well as the number of no-shows and late cancellations. It is recommended that a pattern or practice be a frequency that is several times greater than the system wide average of no-shows and late cancellations.

14. As part of the review of the no-show record, RTD should also review the trip detail to verify that cancellations were in fact late, that vehicles showed up during the on-time window when no-shows were recorded, that vehicles waited at least the required time before marking riders as no-shows, and that there are no trip notes that indicate a system error. System errors might include a geocoding error, or carrying a subscription trip on the record even after a rider has requested a temporary suspension of the trip. The proposed suspension letters should not be mailed until after RTD conducts this records check.
15. It is recommended that letters proposing suspensions because of no-shows or late cancellations inform riders that no-shows and late cancellations due to circumstances beyond their control, including system errors, will not be counted against them. RTD should invite riders to contact them by phone if riders feel that no-shows or late cancellations were beyond their control. No-shows and late cancellations should then be removed from the record as appropriate. RTD should also consider informing riders of no-shows and late cancellations before a threshold is reached that might result in a suspension. For example, informational letters might be sent to riders with three no-shows or late cancellations indicating that these instances have been recorded. The riders should be invited to contact RTD if they feel the no-shows were beyond their control. The letters could also remind riders of the no-show suspension policy. Finally, the letters might invite riders to let RTD know if there are issues causing no-shows that RTD might be able to address. For additional guidance on best practices in no-show policies, RTD is encouraged to review TCRP Synthesis 60, "Practices in No-Shows and Late Cancellation Policies for ADA Paratransit," available from the Transportation Research Board at http://onlinepubs.trb.org/Onlinepubs/tcrp/tcrp_syn_60.pdf.

7 Telephone Access

Telephone access for placing or changing trip reservations or for checking the status of a ride is an important part of ADA complementary paratransit operations. Experiencing significant telephone delays to place or confirm trip requests or to check on rides could discourage people from using the service and could therefore be considered a form of capacity constraint.

Section 37.131(b) of the DOT ADA regulations requires that service must be scheduled and provided at any requested time in response to a request for service made the previous day. For example, a rider should be able to make a reservation at 4:45 p.m. for a pickup at 8 a.m. the following morning. Requests must be accepted during normal business hours, even on days that the agency may not otherwise be providing service, such as trip requests taken on Sunday for a trip on the following Monday. In addition, the prohibition on capacity constraints contained in §37.131(f) prevents a transit system from establishing any operational pattern or practice that significantly limits the availability of service. This chapter summarizes the review team's observations of the telephone system used for placing, changing, or confirming trip reservations or checking on the status of a ride.

Section 37.131(b)(4) of the DOT ADA regulations also permits transit operators to accept paratransit reservations to be made up to 14 days in advance. It is important to note, however, that providing such advance reservations is *optional*; providing next day service is *required*.

The review included:

- Rider comments obtained through telephone interviews with riders, advocates, and agencies
- Standards for telephone answering performance
- Design of the phone system and the staffing of phones
- Practices for handling of calls in both reservations and dispatch through direct observation

7.1 Consumer Comments

Five of the seven riders and disability agency representatives contacted in advance of the on-site review indicated some problem with getting through to access-a Ride by telephone. These individuals reported hold times ranging from 10–35 minutes. One agency representative reported hearing rider frustration with how long it takes to get through to a reservation agent. Two of the respondents indicated that phone hold times have improved during the past year. They indicated that hold times were much worse following the installation of RouteMatch system but had improved in recent months. One person said that telephone hold times still varied, sometimes okay, and other times very long.

One of the four formal ADA complaints on file at FTA noted long hold times. This complainant indicated a hold time of 45 minutes in August 2008 when calling to check on the status of a ride, shortly after the transition to RouteMatch.

RTD's system for tracking Consumer Comments and complaints includes a subcategory for long telephone hold times. A review of complaints from August 1, 2008, through July 31, 2009, included 24 complaints related to telephone service out of 1,931 total complaints. Fourteen of

these were for long hold times and 10 were related to an inability to get through, either because a message was received saying there was no service, the phones were disconnected, or a busy signal was received.

7.2 Phone Service Standards and Performance Monitoring

At the time of the on-site review, RTD staff mentioned that the call center contractor, First Transit, was required to ensure that the average hold time does not exceed 2 minutes for calls in all call groups, measured monthly. This requirement is included in Section 3.3.9 of the contract between RTD and First Transit.

Article 51.0 of the contract also sets penalties and incentive payments related to telephone performance. This article specifies that the contractor will receive a monthly bonus payment of \$1,500 if the average queue time per month is less than 1 minute. It also calls for the contractor to pay a monthly penalty of \$1,000 if the average queue time is greater than 2.5 minutes.

The review team observed that First Transit regularly monitored the maximum hold times and queue size for both the main reservations calling group and the dispatch call group. Maximum hold times and queue size are displayed on an LED in real time. By monitoring this display, supervisors can assign additional staff to the telephones as needed.

First Transit also reviews telephone performance records for the main reservations call group on a daily basis. The performance records show average hold times, the number of abandoned calls, and the average and maximum hold times for abandoned calls by hour of the day. Reports are generated for both the reservations call group and the dispatch call group.

7.3 Phone System Design

RTD advertises one telephone number for Access-A-Ride operations (303-292-6560) throughout the Access-A-Ride service area. A separate number (303-244-1388) is used for same-day access-a-Cab service.

Both phone numbers connect to one phone management system. Separate call groups have been created for Access-A-Ride reservations, access-a-Cab reservations, dispatch, and administration. The system provides detailed call-management and performance reports for each call group.

RTD operates the Access-A-Ride service with a state-of-the-art telephone system. Three dedicated T1 lines handle calls: one line transfers calls to dispatch and general administration and the others are used for Access-A-Ride reservations, access-a-Cab reservations, and calls to schedule in-person interview/assessment appointments for eligibility determination. Each line can handle 24 incoming calls at one time. Based on the observed call volume at the time of the review, this capacity was sufficient to handle all calls, even during peak times, without busy signals.

While the phone system capacity was sufficient for call volumes at the time of the review, there were some capacity problems in the recent past. RTD and First Transit staff indicated that immediately following the switchover to RouteMatch, the time needed to process trip requests was very long. Reservation agents were not able to clear lines as quickly as usual and calls backed up. Hold times were long, the lines were sometimes full, and callers experienced busy signals during the transition.

When riders call the Access-A-Ride number, they hear a recording that directs them to the appropriate call group. At the time of the review, this message first reminded callers that if they were calling to lodge a complaint, register a commendation, or to make a general comment about the service, they should call RTD's Customer Service line (303-299-6000). The recording then gives callers the following three options:

- To make a reservation, check on a future day reservation, or cancel a future day trip, press "1" or remain on the line
- For certification appointments, to check on the status of an appointment, or for the business offices, press "0"
- For all other calls, remain on the line and a reservation agent will be with you shortly

This structure is intended to distinguish between same-day trip issues and future trip needs. Callers are directed to the dispatch line for same-day trip issues.

Callers who press "1" during the recorded message are directed to the main reservations call group. Up to 48 reservations calls can be handled at any time (two T1 lines). There are 24 workstations in the main reservations area organized in six round pods. During peak staffing times, if all workstations are occupied, this allows 24 calls to be served with another 24 in the reservations queue.

If callers do not press "1" or "0," but remain on the line, they are directed to a dispatch-support agent during most hours of the day. The dispatch-support agent inquires about the caller's needs and directs the call to the appropriate place. If callers want to change an existing reservation or cancel a reservation for subsequent service days, they are transferred back to the reservations call group. If callers need assistance with a ride that is scheduled for that day, the agent will assist the caller immediately if the information needed can be obtained by looking at the status of the trip in the system. If more involved dispatch assistance is needed, the dispatch-support agent directs the call to the dispatcher handling the run on which the trip has been scheduled. During times when the dispatch-support agent is not scheduled to work, same-day calls are channeled directly to the dispatchers.

The system is configured to allow all workstations to back-up each call group. Dispatchers can back-up reservationists and vice versa. Administrative staff can also back up either area of operations. All reservations, dispatch, and top-level management lines are recorded during all hours of the day.

7.4 Reservations and Dispatch Staffing

As indicated earlier in this report, trip reservations for the Access-A-Ride program are accepted from 8 a.m. until 5 p.m. every day, including holidays. The dispatch area is staffed 24 hours a day. The dispatch-support agent works weekdays from 7 a.m. to 4 p.m. During other hours, any callers who press "0" or remain on the line are transferred directly to the dispatchers.

The review team analyzed staffing schedules for reservationists and dispatchers. At the time of the on-site review (the week of August 30–September 5, 2009) First Transit employed four full-time reservations supervisors and 24 reservationists, 12 of whom worked full time. There were three open part-time reservationist positions. Four individuals were in training during the week of the on-site review to fill these positions.

First Transit also employed 14 full-time dispatchers and one full-time dispatch-support agent.

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Two to three lead reservationists were scheduled to be on duty every day of the week. Most lead reservationists worked from 7 a.m. until 6 p.m. each day to cover all reservations hours and to be available an hour before and an hour after the advertised Access-A-Ride reservation hours.

From Sunday through Thursday, the busier reservation days, two reservationists were scheduled to report each day at 6 a.m. to handle access-a-Cab calls, which are taken from 6 a.m. until 9 p.m. Another 9–15 reservationists (depending on the day of the week) were then scheduled to be on duty at 8 a.m. Two additional reservationists started at 10 a.m. each day. A total of 11–17 reservationists (plus the two to three lead reservationists) were therefore scheduled for the morning peak calling times. With staggered work shifts, a similar number of reservationists were also scheduled to be available during the last hours of the calling day, which was also reported to be a peak calling time.

On Friday and Saturday, which are lower reservation days, two reservationists were scheduled to start at 6 a.m. (again to cover access-a-Cab calls), seven additional reservationists reported at 8 a.m., and two more reservationists were scheduled to start at 10 a.m. A total of nine reservationists (plus two lead reservationists) were therefore scheduled to be available on these days during the peak call times.

Dispatcher schedules were staggered throughout the day and most dispatchers worked ten-hour days, 4 days per week, to provide effective 24-hour coverage. On weekdays, two dispatchers were scheduled to start at 7 p.m. and work through the night until 6 a.m. One dispatcher typically was scheduled to start at 5 a.m. and work until 2 p.m. Another two to three dispatchers (depending on the day of the week) reported at 6 a.m. and worked until 5 p.m. Another four to five dispatchers reported between 7 and 11 a.m. This staggered schedule allowed at least two dispatchers to be on duty during late night and early morning hours, and four to six dispatchers to be on duty through the morning and afternoon peak operating hours.

On Saturday and Sunday, two dispatchers worked the overnight shift. One dispatcher reported at 5 a.m., another two to three reported between 6–8 a.m. This schedule provided two dispatchers at low-demand times, three to four at peak operating hours, and three in between.

A review of call center personnel records indicated high turnover among reservation agents and dispatchers. According to personnel records covering January 1–August 31, 2009, there were 14 terminations (either voluntarily or for cause). If these eight months of data are annualized, it suggests that approximately 21 reservationists are replaced each year. As First Transit indicated that there were 27–32 reservationist positions, this suggests an annual turnover of between 66 and 78 percent.

In addition, during the eight months from January 1–August 31, 2009, seven dispatchers and one dispatch-support agent were terminated for either cause or left voluntarily. On an annual basis, this suggests that 10–11 dispatchers and one to two dispatch-support agents are replaced each year. With 14 dispatch positions and one dispatch-support position, this data suggests approximately 71–78 percent annual turnover among dispatchers. Given that there is only one dispatch-support agent position, there are not enough observations to estimate an annualized turnover rate for this position; one position turned over in 2009.

The high turnover rate appeared to affect actual day-to-day staffing levels. As noted above, there were three open reservation agent positions during the week of the on-site review. At the time of the on-site review four new hires were in training to fill these positions.

Shortages in staffing were also noticed in dispatch during the week of the on-site review. This appeared to be due to a lack of adequate backup to cover scheduled and unscheduled call-outs. On Monday August 31, the dispatch area was short one dispatcher starting at 8:30 a.m. and short two dispatchers after 9 a.m. On September 1, the dispatch area was short one dispatcher starting at 8:30 a.m. On September 2, the area was short one dispatcher at 6 a.m., two starting at 8 a.m., and three starting at 8:30 a.m. On Thursday, September 3, the dispatch area was short one person at 6 a.m., two at 8 a.m., three at 8:30 a.m., and four from 2–5 p.m. During the peak operating hours, only three dispatchers were on duty and there was no dispatch-support agent. The dispatch shortages at 6 a.m. and 8:30 a.m. were due to staff scheduled to report at that time having been switched to cover the evening shifts. Other shortages appeared to be due to scheduled vacation and unscheduled call-outs.

7.5 Observations of the Call Handling Process

The review team observed the reservations process for several hours on Monday August 31 and Tuesday September 1, 2009. The dispatch area was also observed for several hours on Tuesday, Wednesday, and Thursday of that week.

In general, calls were answered without significant delay in the reservations area during the hours when observations were made. There were several times, though, when the software appeared to freeze, and reservationists could not continue to process trip requests. This freeze lengthened the servicing times for calls that were already answered and caused the reservations queue to increase. These slowdowns typically lasted a few minutes.

The handling of calls in the dispatch area was also found to be very efficient. Even though staffing level issues existed during the on-site review, the review team observed calls to dispatch were answered almost immediately.

7.6 Telephone Performance Reports

First Transit managers regularly generate and review telephone performance reports for the reservations and dispatch call groups. While on site, the review team obtained copies of call management reports for these call groups for the randomly selected 7-day period beginning on Monday August 17, 2009. These reports showed average daily hold times by hour of the day. They also showed the number of calls with hold times over 1, 2, 3, 4, and 5 minutes, as well as the maximum hold time for the hourly period.

Table 7.1 shows average hold times and the percentage of answered calls with hold times of 3 minutes or less for the sample week of August 17–23, 2009. These hold times are shown by hour of day for each day of the sample week. Hourly periods where the hold time exceeded 2 minutes and where the corresponding percentage of calls answered in less than or equal to 3 minutes was low are bolded in the table.

As shown, hold times in the reservations area were short or reasonable for most of the week. From Monday August 17 through Saturday August 22, there were only six hourly periods where the average hold time exceeded 2 minutes. Given that there were 60 hourly periods for these 6 days, this means that the average hold times were less than or equal to 2 minutes for 90 percent of the hourly reporting periods. The maximum average hold time during this period was 3:26 from 10–11 a.m. on Monday August 17.

The six hourly periods with average hold times over 2 minutes were discussed with and researched by the First Transit Manager. He reported that the longer hold times from 10–11 a.m. on August 17 were due to staff breaks during this mid-morning period. The longer hold times from 4–5 p.m. were due to reductions in scheduled staffing during this last hour of the day.

On Wednesday, the longer hold times during the first hour of the day were due to a high volume of calls. On Thursday, the longer hold times from 3–4 p.m. were due to reductions in scheduled staffing levels at 3 p.m. Similarly, on Friday, the longer hold times during the first hour of the calling day were due to high call volume and the longer hold times from 3–4 p.m. were due to staffing cutbacks at 3 p.m.

Hold times on Sunday August 23 were very long. The average hold time was more than 2 minutes for seven of the 10 hourly periods of the day. The average hold times exceeded 7 minutes for two of these hourly periods (12–2 p.m.) and 90–97 percent of all calls during these two hours were on hold for more than 3 minutes.

The review team discussed the performance report from Sunday August 23 with the First Transit Manager. His research indicated significant software system slowdowns. A review of the call volumes and staffing levels for the day confirmed this assessment. There did not appear to be significant changes in call volume or staffing corresponding to the hours of very long hold times.

The review team compared the Sunday in question with two previous Sundays (August 9 and August 16). The hold-time data for these 2 added days is also shown in Table 7.1. As shown, the hold times on these two Sundays were significantly lower. On Sunday August 9, hold times exceeded an average of 2 minutes for only 3 of the 10 hourly periods and in two periods exceeded 2 minutes by only a few seconds. On Sunday August 16, only 1 hourly period had an average hold time over 2 minutes (from 1–2 p.m.). Research of this hourly period showed a low call volume and adequate staffing, which again suggested that the long hold times for the one hour on August 23 resulted from software issues.

Telephone performance records for the dispatch line showed very low hold times for almost every hourly time period in the randomly selected sample week. Dispatch hold times by hour of the day for the sample week are shown in Table 7.2. Hold times are shown from 5 a.m. until midnight each day. The review of the records showed that between midnight and 5 a.m., virtually all calls were answered in 38 seconds or less.

As Table 7.2 shows, average hold times exceeded 1 minute for only two of the hourly periods in the week. These were from 12–1 p.m. on Sunday August 23 (2:44), and from 1–2 p.m. on the same day (1:08). During every other hour of the week, average hold times were well under 1 minute and all calls were answered in 3 minutes or less. The two hourly periods on Sunday August 23 were at the same time as the software slowdown that was responsible for the longest hold times in reservations on this day. The software issues appeared to impact dispatch as well that day.

**Table 7.1 – Average Hold Times and Percent Hold Times Less than or Equal to Three Minutes
by Day and Time of Day for Calls to the Reservations Line, August 17–23, 2009, and August 9 and 16, 2009**

Hour of the Day	Hold Time Measure	Hold Times (Min:Sec) By Day								
		Monday 8/17	Tuesday 8/18	Wednesday 8/19	Thursday 8/20	Friday 8/21	Saturday 8/22	Sunday 8/23	Sunday 8/9	Sunday 8/16
8–9 am	Avg Hold	0:45	0:27	2:29	2:00	2:05	0:12	3:44	1:29	1:21
	% Holds ≤ 3 min	89%	94%	59%	67%	51%	100%	43%	78%	78%
9–10	Avg Hold	0:53	1:10	0:29	0:36	0:34	0:29	3:11	2:08	0:19
	% Holds ≤ 3 min	89%	91%	100%	98%	95%	100%	51%	57%	100%
10–11	Avg Hold	3:26	0:32	0:28	0:39	0:05	0:15	2:26	0:44	0:56
	% Holds ≤ 3 min	48%	100%	100%	96%	100%	100%	56%	88%	97%
11–12	Avg Hold	0:51	0:08	0:53	0:06	0:05	0:34	1:38	0:38	0:45
	% Holds ≤ 3 min	90%	100%	89%	100%	100%	100%	74%	100%	93%
12–1 pm	Avg Hold	0:38	0:09	1:28	0:45	0:06	0:18	8:32	0:24	0:53
	% Holds ≤ 3 min	96%	100%	81%	93%	100%	100%	10%	100%	93%
1–2	Avg Hold	1:27	1:45	0:37	1:25	0:17	0:09	7:01	3:06	6:25
	% Holds ≤ 3 min	86%	73%	96%	89%	98%	100%	3%	52%	14%
2–3	Avg Hold	1:03	1:53	0:37	0:29	0:09	0:12	1:27	0:28	0:54
	% Holds ≤ 3 min	95%	77%	95%	100%	100%	100%	80%	98%	88%
3–4	Avg Hold	0:29	0:52	1:11	2:59	2:08	0:35	4:04	2:08	1:00
	% Holds ≤ 3 min	100%	94%	85%	50%	65%	98%	26%	59%	95%
4–5 pm	Avg Hold	2:29	0:43	0:07	0:16	0:48	0:36	0:24	0:06	0:09
	% Holds ≤ 3 min	58%	96%	100%	97%	86%	100%	98%	100%	100%
Daily Totals	Avg Hold	1:15	0:47	0:54	0:57	0:43	0:22	3:19	1:13	1:08
	% Holds ≤ 3 min	84%	93%	90%	89%	88%	100%	52%	81%	88%

Table 7.2 – Average Hold Times and Percent Hold Times Less than or Equal to Three Minutes by Day and Time of Day for Calls to the Dispatch (August 17–23, 2009)

Hour of the Day	Hold Time Measure	Average Hold Times (Min: Sec) By Day						
		Mon. 8/17	Tues. 8/18	Wed. 8/19	Thurs. 8/20	Fri. 8/21	Sat. 8/22	Sun. 8/23
5-6 a.m.	Avg Hold	0:15	0:08	0:12	0:10	0:12	0:16	0:09
	% Holds ≤ 3 min	100%	100%	100%	100%	100%	100%	100%
6-7	Avg Hold	0:34	0:14	0:24	0:13	0:29	0:08	0:24
	% Holds ≤ 3 min	100%	100%	100%	100%	100%	100%	100%
7-8	Avg Hold	0:12	0:15	0:18	0:11	0:14	0:37	0:10
	% Holds ≤ 3 min	100%	100%	100%	100%	100%	100%	100%
8-9	Avg Hold	0:09	0:12	0:30	0:13	0:22	0:16	0:11
	% Holds ≤ 3 min	100%	100%	100%	100%	100%	100%	100%
9-10	Avg Hold	0:12	0:13	0:12	0:15	0:23	0:20	0:14
	% Holds ≤ 3 min	100%	100%	100%	100%	100%	100%	100%
10-11	Avg Hold	0:10	0:13	0:10	0:13	0:18	0:40	0:14
	% Holds ≤ 3 min	100%	100%	100%	100%	100%	93%	100%
11-12	Avg Hold	0:07	0:12	0:10	0:13	0:20	0:40	0:18
	% Holds ≤ 3 min	100%	100%	100%	100%	100%	95%	100%
12-1 p.m.	Avg Hold	0:08	0:11	0:06	0:11	0:14	0:49	2:44
	% Holds ≤ 3 min	100%	100%	100%	100%	100%	100%	56%
1-2	Avg Hold	0:14	0:11	0:10	0:09	0:28	0:34	1:08
	% Holds ≤ 3 min	100%	100%	100%	100%	100%	100%	88%
2-3	Avg Hold	0:12	0:09	0:08	0:26	0:43	0:32	0:10
	% Holds ≤ 3 min	100%	100%	100%	98%	94%	100%	100%
3-4	Avg Hold	0:09	0:13	0:13	0:20	0:18	0:11	0:07
	% Holds ≤ 3 min	100%	100%	100%	100%	100%	100%	100%
4-5	Avg Hold	0:14	0:10	0:23	0:46	0:52	0:15	0:16
	% Holds ≤ 3 min	100%	100%	100%	95%	88%	100%	100%
5-6	Avg Hold	0:27	0:11	0:28	0:37	0:35	0:23	0:52
	% Holds ≤ 3 min	100%	100%	100%	100%	100%	100%	100%
6-7	Avg Hold	0:14	0:14	0:18	0:12	0:14	0:29	0:28
	% Holds ≤ 3 min	100%	100%	100%	100%	100%	100%	100%
7-8	Avg Hold	0:11	0:16	0:12	0:19	0:14	0:16	0:09
	% Holds ≤ 3 min	100%	100%	100%	100%	100%	100%	100%
8-9	Avg Hold	0:11	0:10	0:11	0:19	0:14	0:31	0:42
	% Holds ≤ 3 min	100%	100%	100%	100%	100%	100%	100%
9-10	Avg Hold	0:06	0:10	0:11	0:13	0:21	0:13	0:21
	% Holds ≤ 3 min	100%	100%	100%	100%	100%	100%	100%
10-11	Avg Hold	0:08	0:08	0:10	0:07	0:22	0:25	0:08
	% Holds ≤ 3 min	100%	100%	100%	100%	100%	100%	100%
11-12	Avg Hold	0:21	0:12	0:13	0:09	0:06	0:18	0:10
	% Holds ≤ 3 min	100%	100%	100%	100%	100%	100%	100%
Daily Totals	Avg Hold	0:13	0:12	0:16	0:18	0:23	0:27	0:33
	% Holds ≤ 3 min	100%	100%	100%	100%	100%	100%	100%

7.7 Findings

1. There were no findings of non-compliance in this section of the report.

7.8 Recommendations

1. RTD should consider revising its telephone performance standard to either hourly average hold times or maximum hold times. For example, 95 percent of all hourly call period per month when calls are being accepted shall have average hold times of 2 minutes or less. Note that this type of a standard should only consider average hold time during times when calls are accepted. Including hold times during hours when calls are not being accepted would inappropriately skew the measurement since the average holds during those hours would show in the system as zero. For example, 95 percent of all calls in each call group shall be answered in 3 minutes or less and 99 percent of all calls in each call group shall be answered in 5 minutes or less. If maximum hold times were used, monthly calculations would be appropriate to measure general performance. Closely examining hourly performance is still recommended, though, to ensure that there is not a pattern of long hold times on certain days or hours.
2. RTD should continue to work with its software provider to address the remaining slowdowns and freeze-ups of the system.
3. Staffing schedules for the reservations and dispatch areas call for staffing levels that would appear to ensure reasonable telephone performance. However, shortages in staffing appear to be causing some periods with long hold times. Three reservationist positions were open at the time of the on-site review. This could be limiting the call center contractor's ability to adequately cover break times. Shortages of staffing in the reservations area appear to be caused by high turnover. RTD should work with the call center contractor to address turnover and full staffing in the reservation area. This recommendation should allow for improved coverage during mid-morning and afternoon scheduled break times.

8 Trip Reservations Process

While the previous chapter addressed access to reservations, this chapter focuses on how RTD handles trip requests.

8.1 Response Time

The response time provisions of § 37.131(b) of the DOT ADA regulations require the transit system to schedule and provide paratransit service to any ADA complementary paratransit eligible person at any requested time on a particular day in response to a request for service made the previous day. Reservations may be taken by reservation agents or by mechanical means and the transit system can use real-time scheduling in providing ADA complementary service.

The review team paid particular attention to policies regarding trip reservations and whether RTD used any form of trip caps or waiting lists. In addition, the review team researched whether there appeared to be a pattern or practice of denying a significant number of trip requests. This portion of the review examined the policies and procedures concerning negotiation of requested trip times.

The review team gathered and analyzed the following information:

- Comments from riders and advocates through telephone interviews, and through a review of comments and complaints on file at FTA and RTD
- Reservations, policies, and performance standards
- Service reports prepared by RTD showing the number of trips served and the number of trips denied for the past 3 years
- Direct observations of the handling of trips by the review team and interviews with RTD staff about the ability to accommodate trip requests

8.2 Consumer Comments

None of the seven riders or disability-agency representatives contacted in advance of the on-site review indicated any instances of trip denials. Four of the seven riders indicated no significant issues with scheduling.

Of the three individuals who indicated issues, one said that 75 percent of the time the ride was scheduled while on the phone with the agent and 25 percent of the time a ride is not available at a particular time and someone calls back with a trip time. She said that she always received a call later in the evening with an offered pickup time. However, she said the scheduled times were generally worse for trips that were not scheduled immediately and involved callbacks. A second individual mentioned early pickups for trips with appointment times. A third respondent felt that there had been a change in policy. She indicated that agents were asking for pickup times rather than appointment times. This respondent also said that there were instances when her on-time window was different from the on-time window on the driver's manifest.

RTD's system for tracking Consumer Comments and complaints includes several categories related to the reservations process and initial trip bookings. For the 12-month period from August 1, 2008, through July 31, 2009, there were:

- 37 recorded complaints that vehicles had shown up at the wrong pickup or drop-off location
- 34 complaints that a trip request had not been booked when requested
- One complaint of a capacity denial
- 15 complaints of service refusals or that service was not available
- 16 complaints that callbacks with trip pickup time had not been received
- 17 commendations for reservationists

The 34 complaints related to trip requests not being booked when requested and the one complaint about a capacity denial appear to be related to the fact that many trips are not successfully scheduled at the time that riders call and callbacks with offered travel times have to be made. The 16 complaints about the lack of callbacks are also related to this practice. This issue is explained later in this chapter.

The 15 complaints about service being refused or not available appear to be related to service area and trips not being provided to areas where riders felt they should be able to go.

None of the four formal ADA complaints filed with FTA related to the handling of trip requests or trip denials.

8.3 RTD System Standards and Policies

RTD's Access-A-Ride reservations center operates every day of the year from 8 a.m. to 5 p.m. Therefore, a next day reservation is always possible.

The User's Manual also states:

If Access-A-Ride cannot accommodate your exact request, it may offer travel times of up to sixty (60) minutes/1-hour before or up to sixty (60) minutes/1-hour after the requested travel time as established as service criteria under the Americans with Disabilities Act (ADA) of 1990.

Since July 2003, RTD's goal has been to meet all ADA complementary paratransit service trip requests. Prior to July 2003, the agency's goal was to deny no more than one percent of the total number of trips requested.

RTD also indicated that they do not employ waiting lists in the Access-A-Ride program or impose any kind of cap on the number of trips that riders can take.

Section 3.2.2 of the October 7, 2007, contract with First Transit, states:

The call center Contractor shall schedule Paratransit service to any certified Access-A-Ride customer at any requested time in response to a request for service made between three (3) and one (1) day prior to the day that service is desired so long as such service is consistent with the ADA service area and time.

Section 3.2.2 of the same contract also states:

Contractors shall not limit the availability of complementary paratransit service to ADA paratransit eligible individuals by any of the following means:

Restrictions on the number of trips an individual will be provided service

Waiting lists for access to the service

Any operational pattern or practice that significantly limits the availability of service to ADA paratransit eligible persons

Subscription Service

Section 37.133 of the DOT ADA regulations allow transit operators to provide subscription service (i.e., regularly recurring trips), subject to certain limitations. Subscription service trips may not absorb more than 50 percent of the available trips at any given time, unless there is non-subscription capacity.

RTD's Access-A-Ride provides subscription trips for passengers traveling to the same place at the same time at least three (3) days per week. (User's Guide, page 14) Based on the analysis of service performance (Chapters 7 through 10) there does not appear to be a capacity constraint at any time of day.

8.4 Service Reports

RTD provided the review team with data on trips provided and trips denied from January 2006 through June 2009. This information showed that RTD has not recorded or reported any trip denials during this period. A review of earlier records indicated that RTD has not had trip denials in the Access-A-Ride program since 2003.

RTD uses the term "capacity denial" to refer to unscheduled trips. Trips are scheduled after the initial call and RTD's policy and practice is to call riders to inform them of the pickup time by 8 p.m. the day before the trip.

8.5 Observations of the Handling of Trip Requests

Under Section 37.131(b) of the DOT ADA regulations, the transit system 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 and the passenger accepts a departure time of more than one hour earlier or later, this still constitutes a denial of service and must be counted as a denial, whether the rider accepts the offer or not.

As noted in Chapter 3, trip reservations are accepted by the Access-A-Ride call center every day from 8 a.m. to 5 p.m. Access-A-Ride trip requests can be placed 1–3 days in advance. However, RTD defines "next day" as beginning at 3 a.m. rather than 12:01 a.m. This is because the late evening vehicle runs of Access-A-Ride operate past midnight—to as late as 3 a.m. the following morning—so it considers the period between midnight and 3 a.m. as part of the previous day. Therefore, a caller who requests next-day service can get a trip only if it is after 3 a.m. For a trip between midnight and 3 a.m., a caller must call at least 2 days in advance (e.g., Monday for a trip on Wednesday at 1 a.m.).

Using RouteMatch, First Transit schedules Access-A-Ride trip requests in real-time. This means that trips that can be assigned to vehicle runs are assigned instantly and an actual pickup window is provided to riders during the call.

The following reservations and initial scheduling process is used when riders call to place trip requests:

1. The reservationist first asks the caller to provide his/her Access-A-Ride ID number and enters this into the RouteMatch trip booking screen, which then displays the rider's name, home address, and other service information (mobility aids used, need for a PCA, etc.). The reservationist then verifies the caller's name as matching the ID number and asks the customer to verify their address and telephone number.
2. The reservationist asks the caller for the day and date of travel, which are checked to make sure they are consistent.
3. The reservationist requests information about the trip origin. Typically, a reservationist asks if the caller will be leaving from home and, if so, confirms that the home address displayed in the system is still correct. If the caller indicates that the trip will start from a different address, that information is entered.
4. The reservationist requests information about the destination. The address of the destination is also entered and geocoded if necessary. Information about the type of destination is also requested (mall, medical center, apartment building, etc.). If the destination is a large building or facility, more specific drop-off location information is requested and entered into the notes field. Telephone contact information at the destination is also requested and entered if available.
5. Based on the type of trip and destination, the reservationist asks the caller when he/she needs to be at the destination (for an appointment) or if there is no appointment, asks when he/she would like to be picked-up. While appointment time information is typically requested for the going portion of trips and pickup times are typically requested for the return portion of trips, if a rider is traveling to a destination that is not tied to an appointment time, they can request a pickup time for the going portion for the trip.
6. Based on the provided appointment time information, the reservationist subtracts 15 minutes from that time and enters this value in the "Requested Drop-Off Time" field. Using the distance-based calculations in Table 8.1, the reservationist then enters a second time into the "Requested Pickup Time" field. This table is used as a substitute for the times computed by the software.

Table 8.1 – Manually Calculated Pickup Times for Trips with Appointments

Calculated Direct Miles of the Trip	Minutes Before Appointment
0–5 miles	45 minutes
5.1–10 miles	60 minutes
10.1–15 miles	75 minutes
15.1–20 miles	90 minutes
20.1–25 miles	105 minutes
25.1–30 miles	120 minutes

The reservationist then determines if the rider will be using a wheelchair when making the trip and if the rider is traveling with a PCA or companion. Reservationists check to see if any mobility aids are listed in the rider information and then may ask: “Will you be using your wheelchair?” or “Will you need the lift?” To check on PCAs and companions, reservationists check the rider file to see if a PCA is listed and then may ask: “Will you be traveling alone?”

Once all information has been entered into the trip-booking screen, the reservationist prompts the system to find possible scheduling options. RouteMatch conducts this initial scheduling search by looking at the existing schedules for the 10 vehicles closest to the pickup location. The search is limited to 10 vehicles in order to minimize the amount of time required to find a solution. This is referred to as a Level 1 search. At the time of the on-site review, First Transit stated that the system has not yet been able to be operated efficiently and quickly look at all possible options.

RouteMatch may identify several scheduling options. If so, the reservationist analyzes the options and selects the one that seems to best meet the rider’s needs while still fitting well within the selected run.

If no scheduling options are found for the initial search, the trip is referred to a Level 2 reservationist (a position created by First Transit) to perform a Level 2 search, which takes more time since the number of vehicles searched is increased to 15. This frees up the Level 1 reservationist to take the next call. If the Level 2 reservationist is unavailable (i.e., helping another rider), the trip is marked as a “Capacity Denial” (terminology used to initially mean unscheduled trip by RTD). Similarly, if the Level 2 reservationist cannot schedule the trip while on the call, the trip is marked as a Capacity Denial. In both cases, riders are informed that the trip will be worked on and he/she will be called back with the final scheduled pickup time.

The reservationist provides the caller with the pickup window for the generated trip option. The pickup window is the 30-minute period starting 5 minutes before the scheduled pickup time and extending to 25 minutes after the scheduled pickup time. For example, if the system identified 5 p.m. as an available pickup time for the trip, the reservationist describes the available pickup time as “between 4:55 and 5:25 p.m.” If the rider accepts the pickup window, the reservationist enters the negotiated time into the system. A similar process is then used to enter information about the return trip (if applicable) and to generate agreed-upon return trip details.

When booking return trips, reservationists add 5 minutes to the Requested Pickup time. For example, if a caller asks for a 5 p.m. pickup, this would be entered as a 5:05 p.m. requested pickup time. First Transit noted that this was done so that if the software found an exact match for the time (i.e., 5 p.m.), the pickup window would be 4:55–5:25 p.m. and the pickup window would then not start before the time actually requested.

After all legs of the trip are scheduled, reservationists then read back the pertinent key trip information (date, times, and addresses) to confirm the booking.

Each day, one call center staff person is designated as the Level 2 reservationist. This person is generally available for the morning and afternoon peak call times. The review team noticed that reservationists were frequently unable to transfer calls to the designated Level 2 reservationist, due to the Level 2 reservationist being on another call or reaching voice mail when attempting to transfer the call. As noted above, the Level 1 reservationist codes these as a capacity denial and the trips are subsequently scheduled by one of the schedulers.

The review team observed that reservationists had different ways of explaining why the trip could not be scheduled at that time. Statements included: “We will have to call you back to confirm this trip,” “We will need to work on this trip and will call you back,” “I have requested a trip for XXXX. Someone will call you back later today,” “I don’t have that time to confirm right now, but someone will call you back later today.”

In a few cases, calls were actually received from riders that who were calling to check on the status of their trip requests because they had not yet been contacted. In these cases, reservationists typically would say “They are still working on that trip, but you will get a callback with the scheduled time.”

The review team s observed that most riders appeared to be familiar with the callback process and did not seem to be concerned about whether the trip would be provided. In a few cases, riders asked for clarification in response to the statement: “We will need to work on this trip.” The reservationist would explain the process. During these explanations, reservationists would explain that the trip was in the system and would be provided, but that a scheduled pickup time needed to be developed and a callback made.

The reservationists’ practice of entering a requested pickup time 45–120 minutes ahead of a rider’s appointment based on distance was designed to provide enough time for the rider to get to their destination on time. However, the review team noted that sometimes the approach used for scheduling often resulted in a pickup time that would bring the rider to their destination more than 30 minutes prior to their appointment time. For example, a rider who indicated a 10 a.m. appointment for a trip with a calculated direct distance of 5.7 miles might be assigned a pickup time as early as 7:45 a.m. This might happen because a 10 a.m. appointment time would actually be entered as 9:45 am (15 minutes before the stated appointment) and 8:45 a.m. would be entered into the pickup field (60 minutes before the adjusted appointment time given the direct miles, per Table 8.1). The system could then schedule the trip an hour before the time entered in the pickup field, resulting in a 7:45 a.m. actual pickup. Were this sample 5.9-mile trip completed in 45 minutes (the system average travel time was noted as 39 minutes), the rider might be dropped off as early as 8:30 a.m. for a 10 a.m. appointment. An analysis of on-time drop-offs is included in Chapter 9 (On-Time Performance).

To counteract this, RTD has identified the opening times for several local programs and has instructed reservationists to use these times when scheduling trips. Reservationists are instructed to always enter appointment times for these trips and to avoid entering an appointment time that is under 30 minutes after the facility’s open time. For example, if a local program is known to open at 8:15 a.m., reservationists would enter 8:45 a.m. or later into the appointment time field when scheduling the trip. It was noted that the scheduling options generated by the software required careful review. Reservationists stated that they would not accept a scheduling option that had an estimated drop-off before 8:45 a.m.

The reservationist’s stated procedure to reject scheduling options with drop-off times earlier than the entered appointment times raises questions about how effectively RouteMatch is protecting against early drop-offs. If an appointment time of 8:45 a.m. is entered and the system is set to have a drop-off parameter of -30/0 (allowing drop-offs up to 30 minutes earlier than the appointment and zero minutes after), it would seem that reservationists should not need to worry if a trip was scheduled with an earlier drop-off time (such as 8:30 a.m.). The system should still protect this earlier drop-off time from being moved in subsequent scheduling to before 8:15 a.m.

This apparently is not the case. The drop-off window appears to be linked to the scheduled drop-off time rather than the appointment time. This issue is discussed in more detail in Chapter 9.

During a call, a reservationist may need to determine if the requested origin and destination are within the 3/4-mile Access-A-Ride service boundaries. Information about current fixed routes is in RouteMatch and GIS polygons have been created depicting the 3/4-mile corridors for each fixed route. The software can compare exact origin and destination addresses with these service area polygons. If an address is outside the 3/4-mile boundaries, a pop-up screen warns the reservationist that the trip is not in the service area. Reservationists mentioned that occasionally, riders might dispute the system's finding that the address is outside the service area. In these cases, reservationists obtain assistance and use an alternative mapping tool such as MapQuest.

The review team observed the reservations process on Monday August 31 from 1:30–5 pm and on Tuesday September 1 from 8–10 am. The review team sat with different reservationists and used telephone splitters to listen to 258 Access-A-Ride trip requests. For each request, this included recording the days and times requested and the times offered. Table 8.2 summarizes the results of these observations. The “Days in Advance” column refers to the number of days in advance of the day of service that the trip request was placed.

As shown, of the 258 trip requests observed, 149 were scheduled immediately. In 98 cases (38 percent of total requests), the reservationists were not able to offer the callers a pickup time within an hour of the requested time and informed the rider that the trip would be scheduled by 8 p.m. the night before the trip. In one observed instance, the time offer was unable to meet the requested pickup time of 1:30 p.m. and could only offer a pickup of 12–12:30 p.m. Although the rider accepted this trip, this is considered a capacity denial since the pickup window was more than 1 hour before the requested pickup.

Table 8.2 - Summary of Observations of the Handling of Trip Requests

Days in Advance	Requests Observed	Requests Scheduled Immediately	Unscheduled Trips	Capacity Denials
1	76 (30%)	35	41(54%)	0
2	86 (33%)	42	34(40%)	0
3	96 (37%)	72	23(24%)	1
Total	258 (100%)	149	98 (38%)	1

The table also shows that the closer the trip request is to the day of the trip, the lower the likelihood the request will be immediately scheduled. While 30 percent (76 trips) of the observed trip requests were placed 1 day in advance, 54 percent (41 trips) required additional scheduling assistance. Trips requested 2 and 3 days in advance had a lower incidence of requiring additional scheduling assistance.

Callbacks

If trips cannot be scheduled at the time trip requests are placed, reservationists typically leave the request in the system as a capacity denial and inform callers that they will call back at a later time to confirm a pickup time

Because the status of trips is changed from “capacity denial” to “scheduled” when options are identified, it was not possible to identify actual capacity denials from the RouteMatch database. At the time of the on-site review, there appeared to be a fairly high percentage of unscheduled

trips. As noted above, 38 percent of trips monitored first-hand were unscheduled trips requiring follow up. One observed trip met the definition of a capacity denial.

The review team also analyzed the callback logs for 3 days of service. For trips scheduled for Sunday August 30, 70 one-way trips had started off as unscheduled trips. For Monday August 31, there were 457 one-way trips that could not be scheduled during the first call. On Tuesday August 2, 463 trip requests could not be scheduled during the initial call.

The review team also determined that, even if Level 2 reservationists were not able to schedule trips and they were left unscheduled, almost all trip requests were eventually scheduled by schedulers and placed on a run before the day of service. Schedulers indicated that there are approximately 100–150 unscheduled trips each weekday that must be addressed at the end of the day. Schedulers also reported that 7–15 trips remain unscheduled going into the day of service. These trips are still left in the system to be scheduled or same-day dispatched. All First Transit dispatchers noted that the remaining unscheduled trips are eventually served. Riders whose trips remain unscheduled are uncertain as to whether they will be served and many call to find out the status of their trip; they may still be told at that late time that their trips still have not been scheduled.

As schedulers assign unscheduled trips to runs, First Transit confirms trips with riders. First Transit stated that even if callbacks are not successful, trips are kept on the schedules. They explained that riders often call back on the day of service to check on their rides and can then be given the final scheduled time.

RouteMatch generates a report that is run throughout the day showing the rider name and phone number, the negotiated time, and the window for the trip. As each rider is called, the outcome of the call is supposed to be recorded on the list and a comment is supposed to be entered into the RouteMatch note field. A review of the callback list and the RouteMatch trip records indicated that this practice was not consistently followed as only 428 of the 995 callback records contained information in the note field.

Table 8.3 displays the analysis of the callbacks reviewed. Of the 428 trips where the results of the callback were recorded, First Transit spoke to a person 227 times (53 percent). Most times this person was the rider or the rider's caregiver. In 157 instances (37 percent), the caller left a recorded message. Ten percent of callbacks were to a wrong or disconnected number.

Table 8.3 – Recorded Trip Confirmations

Action	Number	Percent
Spoke to a person	227	53%
Left message on machine	157	37%
No answer or machine full	24	5%
Wrong number or disconnected number	20	5%
Total	428	100%

8.6 Findings

1. Under DOT ADA regulations at 49 C.F.R. § 37.131(b), transit providers shall schedule and provide 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. For RTD riders scheduling a trip between midnight and 3 a.m., a caller must call at least 2 days in advance

(e.g., Monday for a trip on Wednesday at 1 a.m.) because the late evening vehicle runs of Access-A-Ride operate past midnight—to as late as 3 a.m. the following morning—so it considers the period between midnight and 3 a.m. as part of the previous day. This scheduling practice is noncompliant with federal regulations requiring RTD to provide next day scheduling.

8.7 Recommendations

1. RTD should explore ways to reduce the number and percentage of trips that must be kept in the system as unscheduled trips. RTD should work with the manufacturers of RouteMatch to address scheduling difficulties so that broader searches of trip-scheduling options can be made during the initial trip scheduling process.
2. RTD must revise its trip reservations policy to allow trips made between midnight and 3 a.m. to be requested on a next-day basis (up to close of reservation hours the day before the trip).
3. RTD should work with First Transit to develop a consistent statement to communicate to riders when trips remain unscheduled. The statement should make it clear that the trip will actually be scheduled. A separate, statement should be developed to consistently communicate to riders in cases where the trip is to be denied or waitlisted if the trip will actually be denied or waitlisted.
4. RTD should consider ways to avoid having any trips remain unscheduled by the late afternoon on the day before service. Increased efforts should be made to ensure that all riders who are promised callbacks have their trips scheduled and receive callbacks by 8 p.m. before the day of service.
5. RTD should also work to reduce the number of callbacks needed. Again, this suggests improving the initial scheduling process so that fewer trips must be scheduled after the initial call.
6. RTD should explore options that would allow RouteMatch to schedule trips directly from the stated appointment times. It would be preferable to generate pickup times based directly on appointment times and trip distance rather than continuing to enter artificial pickup times that are manually calculated from the appointment times. With appropriate travel time parameters that vary based on trip distance and an appropriate drop-off window, it should be possible for an automated scheduling system to generate a pickup time directly from a stated appointment time.
7. RTD should also work with the RouteMatch manufacturer to explore ways that the 5-minute pickup adjustments and 15-minute appointment time adjustments might be addressed automatically by the system.

9 Service Performance

Section 37.131(f) of the DOT ADA regulations for complementary paratransit service prohibit capacity constraints, including missed trips, a substantial number of untimely trips, and excessively long rides and other operational practices that limit the availability of service to paratransit eligible riders. Consequently, the review team examined how the service performed in terms of on-time performance, the handling of missed trips and no-shows, and on-board travel times for RTD's ADA complementary paratransit service.

In order to evaluate RTD's performance in this regard, the review team conducted the following activities:

- Obtained input from consumers regarding on-time performance and travel times through telephone interviews and a review of complaints filed with RTD
- Reviewed RTD's relevant service policies, procedures, and standards
- Observed RTD's scheduling and dispatch functions and interviewed the appropriate staff
- Interviewed drivers about schedules provided and dispatch support received
- Reviewed RTD's on-time performance and travel time records
- Tabulated actual pickup and drop-off times recorded on completed manifests for a selected day
- Reviewed a sample of run manifests to assess average trip length
- Compared travel times of ADA complementary paratransit trips with those of comparable fixed route trips

9.1 Consumer Comments

Input on on-time performance obtained in advance of the on-site review provided a range of responses. Only one of the seven people interviewed had no problem with on-time performance. One of the agency representatives indicated that rider expectation was that pickups would not be on time. One respondent indicated that on-time performance for pickups was 40 percent; two indicated that on-time performance for pickups was 80 percent, and one person indicated a 95 percent on-time performance for pickups. Two of the respondents indicated that they felt on-time performance had improved during the past year. One of the respondents felt that on-time performance for demand trips was worse (six–seven out of 10 were on-time) than on-time performance for subscription trips (almost always on time). One respondent felt that the service was not as reliable for non-subscription service.

Comments about on-time drop-offs also varied. Three of the respondents indicated no problems with on-time drop-offs. Two respondents indicated experiencing approximately 80 percent on-time performance for drop-offs. One of the respondents who indicated an 80 percent on-time performance said that she got into the habit of stating an appointment time 1 hour earlier than what she needed. She said she did this because she felt that she would not get to her appointment on time if she gave the actual appointment time. One respondent said that if the pickup was made on time the drop-off would be on time. Two respondents indicated that they had experienced early drop-offs rather than late drop-offs.

Five of the seven respondents indicated problems with long travel times and circuitous routing. One respondent reported travel times of three to four times the direct travel time to her destination. Another reported travel times of up to three hours. A third person reported travel times of up to two hours. Three of the seven indicated circuitous routing and/or being driven past their destination to pick up or drop off another person and then being brought back to their destination. One of the respondents felt that the grouping of rides was not efficient and that multiple vehicles were sent to pick up people at one location and transport them to similar destinations.

The majority of complaints received by RTD for the 12-month period from August 1, 2008 through July 31, 2009 related to service provision. A total 981 of the 1,931 complaints during this period related to service performance. Table 9.1 shows the breakdown of complaints by type. The majority of performance-related complaints had to do with late pickups. Issues related to no-shows and missed trips also accounted for a significant number and percentage of performance-related complaints.

**Table 9.1 – Performance-Related Complaints Received by RTD
(August 1, 2008–July 31, 2009)**

Complaint Category	Number	Percent of Total
On-Time Performance		
Late pickup	351	18%
Late drop-off	57	3%
Early pickup	47	2%
No-Shows and Missed Trips		
Bus never showed	183	9%
No-show dispute	92	5%
Rider left behind	18	1%
Trip Length		
Long travel time	94	5%
Scheduling and Other		
Poor routing	70	4%
Wrong pickup or drop-off location	37	2%
Driver lost	21	1%
Scheduling too tight	11	1%
Totals	981	51%

* 1,931 complaints were recorded by RTD during this period

Two of the four formal ADA complaints on file with FTA concerned on-time performance or travel times. One complainant alleged getting to work 45 minutes late after being picked up a little outside the window (2 minutes late). She also related an incident where she waited for more than 90 minutes, the vehicle never arrived, and she had to find another way home. The second complaint mentioned a long travel time in March 2008 and a late pickup in June 2008.

9.2 Service Standards and Policies

On-Time Performance Policies and Standards

In a letter that provided information in advance of the on-site review dated August 7, 2009, RTD noted the following about its standard for on-time performance:

The on-time performance standard for Access-A-Ride is 93 percent. Access-A-Ride vehicles arrive any time within a thirty (30) minute window, which is given to the passenger at the time that they request their trip. A late pickup occurs whenever a vehicle arrives more than 15 minutes after the end of the given 30-minute window.

Similar information is provided on page 11 of the Access-A-Ride User's Guide, which states:

You must be prepared to board the vehicle at the beginning of your thirty (30) minute scheduling windows. Access-A-Ride vehicles will arrive any time within the thirty (30)-minute window, which is given to you at the time you request your trip. Please keep in mind that your scheduled window assumes that the driver will have no difficulties while traveling to your pickup location. It is important to realize that an accident, weather, traffic, etc. may delay your driver. In such circumstances we can only consider your ride late fifteen (15) minutes after the end of your scheduled pickup window. For example, if your pickup window is 10:00 p.m. – 10:30 p.m., the vehicle may arrive as late as 10:45 p.m. as a result of traffic, weather, or other elements.

This language implies that the standard on-time window is 30-minute long, but that under atypical operating conditions, a pickup might not be made during this time and a trip will only be considered late in these circumstances if it is made 16 or more minutes after the end of the 30-minute window.

Section 3.3.5 of the call center contract states:

The Contractor shall work with the service providers to ensure that rides are provided on-time at least 93 percent of the time. On-time performance for Access-A-Ride is defined as a driver arriving for a pickup within the 30-minute scheduled window. Any vehicle arriving at their pickup 16 or (more) minutes after the scheduled window is considered 'Late.'

Example, if a client has a scheduled window between 9:00 a.m. – 9:30 am, and the driver arrives at 9:46 am, the trip is late.

This language appears to establish conflicting definitions of on-time versus late performance. On-time service is defined as occurring within the 30-minute scheduled window, but a trip is only late if it is made 16 or more minutes after the end of the window. Definitions in the contract do not indicate that the extra 15-minute allowance must be related to atypical operating conditions such as accidents, weather, or traffic. The definition of late appears to apply at all times.

A similar conflict in definitions exists in the service provider contract. Section 3.13 of the service provider contract states "Passengers shall be picked up within a 30-minute pickup window." However, Section 3.8, which defines the service standards, states:

The Contractor shall maintain an on-time performance rate at or above 93 percent on a monthly basis. On-time performance is defined as a driver arriving for a pickup within the

30-minute scheduled window. Any trip performed 16 or more minutes after the scheduled window time is considered “Late.”

Article 51.0 of the service provider contract, which sets out incentive and penalty payments, includes the following language:

On-time performance is defined as a driver arriving for a pickup within the 30-minute scheduled window. Any trip performed 16 or more minutes after the scheduled window is considered “Late.”

At the time of the review, RTD did not have an on-time standard for drop-offs.

No-Show and Missed Trip Definitions and Performance Standards

Under §37.125(h) (1) of the DOT ADA regulations, transit operators may establish an administrative process to suspend ADA paratransit service, for a reasonable amount of time, to eligible individuals who establish a pattern or practice” of missing scheduled trips. Trips missed by the individual beyond his or her control (including, but not limited to, trips which are missed due to operator error) shall not be a basis for determining that such a pattern or practice exists. Appendix D explains that “pattern or practice” involves, intentional, regular, or repeated actions, not isolated, accidental, or singular incidents. In particular, trips that are missed due to operator error are not attributable to the individual passenger for this purpose.

Similarly, §37.131(f) prohibits transit operators from engaging in operational patterns or practices that significantly limit the availability of ADA paratransit service to eligible persons, including substantial numbers of missed trips. As with passenger no-shows, operational problems outside the control of the transit operator do not count as a basis for determining that a pattern or practice under this provision. For example, if something that could not have been anticipated at the time the trip was scheduled (e.g., a snowstorm, an accident or incident that traps the paratransit vehicle, like all traffic on a certain highway, for hours), the resulting missed trip would not count as part of a pattern or practice. On the other hand, if scheduling practices fail to account for regularly occurring traffic conditions or vehicles experience frequent mechanical breakdowns due to poor maintenance practices, a pattern or practice may exist.

Page 7 of the User’s Guide defines no-shows: the following three occurrences are considered no-shows:

The vehicle arrives on time, but the customer no longer wants the trip.

The vehicle arrives on time, but the driver cannot locate the customer at the requested pickup location.

The vehicle arrives on time, and waits for six (6) minutes, but the customer is not ready to go, and the driver must leave to stay on schedule.

RTD requires that service providers perform 100 percent of trips scheduled. Section 3.8 of the contracts with the service providers states, “The Contractor shall ensure that each trip scheduled is performed accordingly so as to maintain a carrier no-show rate of 0 percent on a monthly basis.”

Article 51.0 of the contract then establishes penalties and incentives related to carrier no-shows (missed trips). This Article first defines a missed trip as “...when a contractor arrives after the contractor on-time performance window and the passenger is not transported.”

Article 51.0 then calls for a \$100 penalty for each missed trip.

Travel Time Policies and Standards

Among the examples of prohibited capacity constraints included in §37.131(f) are “substantial numbers of trips with excessive trip lengths” (§37.131(f)(3)(i)(C)). Since paratransit is a shared-ride service, trips between Point A and Point B will usually take longer than a taxi ride between the same points, and involve more intermediate stops. However, when the number of intermediate stops and the total trip time grows so large as to make use of the system prohibitively inconvenient, a capacity constraint could exist. Generally, total transit time aboard paratransit should be comparable to the same trip taken on the fixed route system, after accounting for any transfers for multi-route trips, waiting time at each end of the trip, and travel to and from the bus stop.

In its August 7, 2009, letter, RTD noted that it had not established a specific travel time standard. It indicated, though, that:

RTD maintains that no trip should take more than twice the amount of time that a similar trip would have taken by using the regular fixed route systems. Further, for long distance trips, RTD has restricted those from taking more than 90 minutes to complete.

The policy that no paratransit trip should exceed two times the amount of time a similar fixed route trip would take is inconsistent with the DOT ADA regulations concerning comparable travel time.

9.3 Scheduling and Dispatching Procedures and Observations

Scheduling Procedures

RTD’s call center contractor First Transit uses RouteMatch, a GIS-based software system, to book, schedule, and dispatch trips. As part of the reservations and scheduling process, the First Transit scheduling staff optimizes the schedules once trips have been entered into the system. Once the schedule is complete, manifests are transmitted to each carrier, where the manifests are reviewed, printed, and distributed to the drivers.

First Transit employs one scheduling supervisor and five full-time schedulers. The scheduling supervisor works from 8 a.m. to 5 p.m. on weekdays. The schedulers work 10-hour shifts 4 days per week. Schedulers work staggered shifts starting at 8 a.m. and ending at 8 p.m. each day. There are at least two schedulers on duty every day. Four out of five scheduling staff work on Thursdays and two out of five scheduling staff work on Friday and Saturday. First Transit schedulers perform the following tasks:

Four days in Advance. The Operations Manager and the Scheduling Supervisor handle subscription requests. At the time of the review, subscription trips could be requested for any trip purpose but had to be scheduled at least 3 days per week at the same time of day. Depending upon the time of day, subscription trips range from 35 percent of all trips to 54 percent of all trips.

The schedulers optimize the subscription trips 4 days in advance to set the basic run templates. The schedulers look for subscription trips that may have changed, typically because the riders’

schedule or destinations have changed or the riders no longer need subscription trips. Those changes are made and runs may be adjusted to accommodate these types of changes. Typically, a set of subscription trips occurring on a particular day is scheduled on the same run from week to week. For example, the Monday subscription runs are typically assigned to the same runs each Monday. After the subscription trips have been optimized the schedulers “clean” the schedule to look for problems or unacceptable variances on the runs and make any necessary adjustments.

One-to-three days in Advance. If schedulers are notified that an agency will be closed or a particular rider will not be traveling, they cancel any center trips (trips to local agency programs). Throughout each day the schedulers perform a series of tasks outlined on the Schedulers Daily Task List. Daily tasks include validity checks of runs and scheduling any trips after midnight. During this time period, schedulers also insert unscheduled trips, which occur when the reservations agent cannot find a trip for the rider (see the description of the handling of trip requests in Chapter 8). If the times cannot be moved into the negotiated window and the scheduled pickup time is 5 or more minutes outside of the pickup window, the trip is logged and a Customer Service Agent calls the passenger to advise him or her of the schedule adjustment. Callback lists are printed throughout the day and clients are contacted until 8 p.m. with their pickup window. Schedulers noted that if riders are not reached in the callback process, trips that are manually moved are still left scheduled outside the negotiated window. These trips are marked as “capacity scheduled,” to alert dispatchers to the fact that the trip was manually scheduled from the unscheduled trip list. If riders call on the day of service to check on their rides and then indicate a difference in requested versus scheduled times, dispatchers can see that the trip was capacity scheduled and can be flexible in resolving any issues that this manual change created.

During this time period, schedulers also insert half-hour lunch breaks for all runs that are scheduled for more than six hours. Schedulers also make sure that all paperwork (client information changes and center closures) is processed.

Starting at 5 p.m. 1 day before service. At 5 p.m., when reservations close and the reservations queue is cleared, the schedulers complete the scheduling of trips. The stated goal is for there to be no trips left unscheduled when the scheduling process is complete. According to the Schedulers Daily Task List indicates that 20 unscheduled trips is an acceptable number to remain unscheduled. Late in the afternoon the day before service is to be delivered, the schedulers check for any special trip memos, communicate any route changes to the vendors, and check to ensure that no trips are scheduled to any locations that are closed for the next day.

Between 5:15–5:30 p.m., after the reservations queue is cleared, manifests for the following day are transmitted to carriers via e-mail as a data file. All carriers use the same format for manifests and print them locally. If there are any changes after the manifests have been transmitted, First Transit calls and faxes changes to the carriers. Carriers may make changes but do not have access to RouteMatch to make changes in the system. If they make changes, they must complete a Carrier Customer Transfer Log and fax it to dispatch the following morning on the day of the trip.

As described in Chapter 8, reservation agents enter trip requests into RouteMatch and schedule trips based on negotiations with riders. Service is available 24 hours a day. A service day is scheduled from approximately 3 a.m. until 2 a.m. the following day. Table 9.2 shows the total

number of runs assigned each day for the sample week of June 21 through June 27. Adjustments may be made to expand or reduce service daily as provided for in the carrier contracts.

Table 9.2 – Run Assignments for Sample Week (June 21–27, 2009)

Day	Total Runs
Sunday 6/21	66
Monday 6/22	243
Tuesday 6/23	261
Wednesday 6/24	253
Thursday 6/25	254
Friday 6/26	234
Saturday 6/27	76

For the most part, carriers are not strictly assigned to serve specific zones. Schedulers try to schedule the first pickups on a run as close to the base of operation for the vehicle as possible. For example:

- MV, which is located in the southwestern part of the service area, has routes starting in that area early in the morning.
- Special Transit-Boulder is assigned 90–95 percent of the trips in Boulder
- Coach USA provides the overflow trips in Boulder because it is the next closest carrier

After the first trips are scheduled onto runs, schedulers place trips on the runs in order to maximize productivity while meeting travel-time requirements and the specific requirements of the passenger request such as an appointment time.

Carriers have slightly different start times to cover demand based on their negotiated service hours. For example, on Wednesday June 24, 2009:

- MV was scheduled to start at 3 a.m. and end at 11 p.m.,
- Coach USA was scheduled to start at 3 a.m. and end at 11 p.m.,
- Special Transit-Boulder was scheduled to start at 3 a.m. and end at 11 p.m.,
- Special Transit, Franklin was scheduled to start at 4 a.m. and end at 11 p.m., and
- Global Transportation was scheduled to start at 4 a.m. and end at 11 p.m.

Due to the significant number of unscheduled trips that result from the reservations process, the schedulers spend a large amount of time attempting to find responsive scheduling solutions for these trips. During review team observations of reservations, 54 percent of the trip requests made 1 day before service could not be scheduled during the initial call. The amount of time spent scheduling these trips limits the amount of time schedulers have to fine tune the schedules, which may affect the quality of the final schedules transmitted to the carriers at the end of the day.

By the time the manifests are transmitted to the carriers the day before service, the goal is to have all of the unscheduled trips scheduled. The Schedulers Daily Task List indicates that 20 unscheduled trips is an acceptable number to remain unscheduled. The Lead Scheduler estimated that from Monday through Thursday approximately 100–150 unscheduled trips remain to be manually scheduled at the end of each day. On Fridays, since scheduling is being done for Saturday, the number of trips remaining to be scheduled is lower (approximately 50 trips). The

Lead Scheduler estimated that on a typical weekday between 7 and 15 trips remain unscheduled going into the day of service.

The review team also observed that since schedulers were scheduling unscheduled trips throughout the day, the Capacity Callback List needed to be reprinted multiple times. The review team obtained copies of the callback lists for trips on Sunday August 30, Monday August 31, and Tuesday September 1. The callback list for Sunday August 30 was printed three separate times on August 29 (10:51 a.m., 4:07 p.m. and 5:23 p.m.) The callback list for trips on Monday August 31 was printed five separate times on August 30 (8:46 a.m., 10:12 a.m., 1:05 p.m., 2:55 p.m., and 5:30 p.m.) The callback list for trips on Tuesday September 1 was printed four separate times on August 31 (10:20 a.m., 3:14 p.m., 5:14 p.m., and 7:48 p.m.)

Since all schedulers work on unscheduled trips, it is possible that a trip can be scheduled and the rider notified of a pickup time, only to have the trip be moved again to accommodate another trip. This scenario also raises the possibility that a rider may have been given one ready time that differs from the ready time on the driver's manifest. This increases the potential for no-shows or missed trips. First Transit also noted that scheduled times for riders were sometimes changed after a rider received a callback with their pickup window.

A review of the scheduling parameter settings in RouteMatch identified a possible problem with the drop-off window. The system is set to have a 30-minute drop-off window that starts 30 minutes before and extending up to the stated appointment/desired drop-off time. First Transit stated that this 30-minute window was attached to the estimated time of arrival (ETA) rather than to the negotiated drop-off (or actual appointment time). The drop-off window therefore can move depending on the final drop-off ETA. For example, if a rider states a 3 p.m. appointment time and the trip is scheduled to drop the rider off at 2:30 p.m., the drop-off window appears to be attached to the 2:30 p.m. scheduled drop-off (or ETA) time rather than the 3 p.m. appointment time. This means the system will allow a drop-off between 2 p.m. and 2:30 p.m. once the trip has been scheduled.

The review of the scheduling parameters also showed that First Transit set a maximum on-board travel time setting of 65 minutes, but does not use the Trip Length Factor option included in the software. The Trip Length Factor allows maximum travel time parameters to be set based on various trip lengths. Use of this option could help ensure more appropriate travel times for short as well as long trips.

Finally, when schedulers are manually placing trips and are performing Level 2 searches, they are not provided with requested appointment times. Not having the appointment time information could lead to mistakenly scheduling trips with late arrivals.

Dispatch Procedures

As detailed in Chapter 8, First Transit employs a dispatch supervisor and 15 full-time dispatchers, including the two leads. Coverage is provided 24 hours a day, 7 days per week. Typically, 4–5 dispatchers are scheduled to be on duty during peak morning and afternoon operation hours. At least two dispatchers are scheduled to be on duty at all times.

The dispatch supervisor typically works weekdays from 7 a.m. to 4 p.m. She provides additional backup and adjusts her schedule to provide coverage as needed. A dispatch-support person works Monday through Friday from 7 a.m. until 4 p.m., assisting the dispatchers by handling “where’s my ride” calls. Vehicles are equipped with two-way radios and mobile data terminals

(MDTs), and drivers communicate directly with the First Transit dispatch staff throughout the day. Carriers also monitor the radios but are not responsible for dispatching drivers. Carrier personnel respond to on-the-road incidents and accidents and are responsible for road supervision of their drivers.

Each carrier is assigned to a specific radio channel:

1. MV Transportation – the largest carrier – is assigned to Channel 1 & 2,
2. STS and Coach Transportation share Channel 3,
3. Global Transit uses Channel 4.

An additional Channel (5) is assigned for carrier supervisors and for emergency transmissions. If a driver needs to speak with someone at the carrier site, the driver asks First Transit dispatch for permission and switches to Channel 5. Drivers also are permitted to talk to one another to give directions or other pertinent information on Channel 5. One or two dispatchers are assigned to cover each carrier channel throughout the day and night.

Drivers are supposed to call dispatch at the start and end of their runs, the start and end of breaks, and if they have slack time. Drivers are not required to call in pickups and drop-offs for all trips, but are required to check in periodically so that dispatch knows where they are. Drivers are supposed to check with dispatch prior to making changes to the manifest pickup/drop-off order. In addition, drivers are supposed to notify dispatch if they are running any more than 15 minutes late. If possible, dispatch will reassign trips to help get the driver back on schedule to avoid making an entire run late.

Drivers also call dispatch in the event of an apparent rider no-show. Drivers are required to wait for 6 minutes within the pickup window before leaving. Drivers are expected to attempt to locate the passenger. In the event of an apparent no-show, drivers call dispatch (typically approximately 5 minutes into the six-minute wait time) and alert them that the rider has not been located. Dispatch will call the rider or agency to alert them that the driver is waiting. If a rider cannot be located, dispatch will direct the driver to leave if they have been at the pickup location for at least 6 minutes.

In addition to staffing the radios, dispatchers also answer incoming telephone calls, which may be from carriers or riders. Riders typically call seeking information about the status of rides, calls for will call returns, or to verify same-day trip details such as pickup times. Same-day cancellations also typically come to dispatch but are sometimes handled by reservations. The dispatchers receive assistance in handling incoming calls from riders from the dispatch-support person. As noted earlier in this report, the dispatch-support person works Monday through Friday from 7 a.m. until 4 pm. Calls also can be transferred to dispatch from the reservations staff or receptionist. Calls are not directed to a specific dispatcher; all dispatchers answer the phone and field questions, sometimes transferring the call to another dispatcher who is working with the carrier providing the trip.

The dispatch-support person was added to the dispatch office as a result of the transition to new software. First Transit also reported that an additional dispatcher was added following the transition to RouteMatch. Some of these deficiencies with the RouteMatch software dispatching functionality are:

- Difficulty in viewing messages sent from MDTs
- No notification to a driver if a message from the MDT is unable to be sent

- Does not calculate new ETA based upon previously performed trips for proactive dispatching
- Unable to create groups so that dispatchers only see messages from runs they are managing
- The speed at which the screens refresh when changing to a new screen or showing recommendations when scheduling/rescheduling a trip
- Dispatchers are not able to perform trips or to log drivers out of service if necessary.

These deficiencies appear to limit the ability of the dispatchers to be proactive in their efforts to manage the service on the street. For example, dispatchers rely on drivers to call and inform them when they are running late. Drivers are instructed to call dispatch if they are running 15–20 minutes late. By the time the driver calls, the driver is already running late. If the dispatching software provided estimated times for future pickups, recalculated as earlier trips are performed, the dispatcher could move trips before the driver starts to run late.

First Transit managers noted that changes in the dispatch area were anticipated. On October 1, 2009, a new position of same-day scheduler was to be created. The same-day schedulers handle where's-my-ride calls, schedule will calls, and answer calls from riders. The dispatchers will be responsible only for communication with the drivers. Prior to the 2008 transition to the Routematch software, the schedulers were able to handle all of those tasks. However with the difference in dispatch functionality with the Routematch software, the dispatchers appeared to experience problems in performing routine tasks in a timely fashion. As discussed in the Driver Interviews section later in this report, several drivers commented on an inability to get timely assistance from dispatchers.

The same-day scheduler will allow the dispatchers to respond to driver requests for assistance in a more timely fashion. The plan is to have two dispatchers and two same-day schedulers on duty during the weekend, and three to four dispatchers and four to five same-day schedulers on duty during the week. It is hoped that this change will adequately address the driver complaints about lack of response from the dispatchers and will allow for more proactive dispatching.

The review team observed staffing shortages and high turnover in the dispatch area. As noted in Section 7.4, the dispatch area was short one dispatcher starting at 8:30 a.m. and two dispatchers after 9 a.m. on Monday August 31. On September 1, the dispatch area was short one dispatcher starting at 8:30 a.m. On September 2, the area was short one dispatcher at 6 a.m., two starting at 8 a.m., and three starting at 8:30 a.m. On Thursday September 3, the dispatch area was short one person at 6 a.m., two at 8 a.m., three at 8:30 a.m., and four from 2–5 p.m. During the peak operating hours, only three dispatchers were on duty and there was no dispatch-support agent. The dispatch shortages at 6 a.m. and 8:30 a.m. were due to scheduled staff having been switched to cover the evening shifts. Other shortages appeared to be due to scheduled call-outs for vacation and unscheduled call-outs.

In addition, during the eight months from January 1–August 31, 2009, seven dispatchers and one dispatch-support agent were terminated either for cause or left voluntarily. On an annual basis, this suggests that 10–11 dispatchers and one–two dispatch-support agents are replaced each year. With 14 dispatch positions and one dispatch-support position, this suggests approximately 71–78 percent annual turnover among dispatchers. It is possible that difficult working conditions in the dispatch area caused by the software transition have contributed to this high turnover.

The review team observed dispatch operations on Tuesday September 1, from 3–5 p.m. and again on Thursday afternoon September 3, from 3–5 pm. On Tuesday afternoon there were four dispatchers on duty plus two lead dispatchers to provide backup in the dispatch office. The review team learned that the dispatch office was short one position and on Thursday had one person on vacation and two people called out sick, leaving the office short four people for the day. The Dispatch Supervisor and the two lead supervisors had been filling in during the day to maintain coverage for the office.

The review team observed dispatchers sometimes handling large numbers of runs. On weekdays, as many as 260 peak-hour runs may be in service. With four or five dispatchers scheduled at the beginning of the peak, each dispatcher may be expected to manage 52–65 runs. At 3:20 p.m. on Thursday September 3, the review team observed that only three dispatchers were on duty. Consequently, the number of runs managed by each dispatcher was even greater. One dispatcher was managing all MV (over 100 runs), and the other two were managing the Global, STS and Coach runs (approximately 100–110 runs). A lead dispatcher was providing backup for the three dispatchers. In FTA’s experience, a general industry rule of thumb is that a dispatcher using MDT and AVL technology can efficiently handle 40–50 runs.

The review team observed dispatcher handling of missed trips. In one instance a call came into the dispatch office from a rider requesting an ETA for their pickup. The driver was contacted and indicated that he was running behind and the rider would not be picked up until after the end of the 30-minute on-time window. The driver indicated that he had asked for help with getting back on time earlier but had received no response. The rider, upon hearing that the pickup was going to be late indicated that their PCA would handle the return ride. The dispatcher marked the trip as a late cancel. When questioned, the dispatcher indicated that they marked the trip late cancel because First Transit was unable to help the driver when he requested assistance and that First Transit should not be penalized for a missed trip as a result. In subsequent conversations between another lead dispatcher and the dispatch supervisor, there was confusion over the appropriate handling of this trip. The issue of whether a carrier should be penalized for a no-show should have no bearing on the coding of the trip. Since the cancellation of the ride was due to the carrier’s operational error, this trip should have been coded as a missed trip. By coding the trip as a late cancel instead, the rider was inappropriately held responsible for a trip missed by the carrier. This policy is inconsistent with the DOT ADA regulations.

Dispatchers explained the established procedure for handling no-shows as follows: When riders are not present at pickup locations, drivers contact dispatch. Drivers sometimes go to the door to attempt to locate riders. Dispatchers also attempt to reach riders by phone to let them know the vehicle was waiting. If dispatchers are unable to contact riders, drivers are authorized to proceed after waiting the required 6 minutes within the ready window. Dispatchers stated that if a rider is a no-show for the return trip and then calls to inquire about the ride, a vehicle will be sent back to get the rider as schedules permit. RTDs’ Access-A-Ride has a no strand policy for return trips and a rider always gets a return ride even if the rider was a no-show for the scheduled pickup.

9.4 Driver Interviews

While on site, the review team randomly selected 19 drivers for interviews at all four carrier sites. Interviewees were both new and long-term drivers: eight had more than three years of experience, seven had from 1–3 years of experience, and four had less than one year of experience.

The review team asked about the schedules, on-time performance, schedule and dispatch support, and no-show and rider-assistance procedures:

- Whether the schedules they were expected to perform were workable,
- How often they ran late and whether they found it necessary to start early to stay on time,
- Whether times on the manifests were consistent with times reported by riders,
- The level of dispatch support provided, and
- Their understanding of operating procedures, particularly the on-time performance window, no-show procedures, and rider-assistance policies.

There was mixed input on the schedules and whether they are too loose, about right, or too tight. Two of the 19 drivers said that the schedules are okay. One said that the initial schedules are okay but that subsequent manual add-ons make the schedules too tight. Two said that the schedules vary from day to day but that they are “mostly okay.” One driver said they vary but if you know the city you can make them work. Seven said that the schedules vary but that they are mostly too tight. One of these seven indicated that they are often tight in the morning and afternoon peak hours. Another said that traffic does not seem to be adequately taken into consideration. Two said that there is not enough time allowed for waiting for and boarding riders. Three said that the schedules are inconsistent with some days too loose and others too tight. These drivers also described the sequence of trips as circuitous. Two of these three drivers also felt they were not being provided with good schedules. The final three drivers felt that the schedules were consistently too tight with one saying that if the drivers didn’t take it upon themselves to change the order of pickups and drop-offs, the schedules often would not be workable.

When asked how often they ran late, meaning outside the on-time window, 12 drivers said it was “not too often” (typically once or twice a week). Five drivers said they were late 2–3 days per week or up to one out of every 10 trips. Two drivers said they were late approximately 20–25 percent of the time. One driver said performance was better under the old software system and he runs late more often since the new software was installed.

When asked about the assistance they received on late trips from dispatchers, the responses were very mixed. Twelve of the 18 drivers responding felt that the level of assistance was mixed at best. These drivers said they usually are asked to “do the best you can.” Several indicated that they are told to only contact dispatch if they are going to be running more than 15 minutes outside the 30-minute window. Eight of these drivers indicated it is sometimes very hard to get through to dispatch or to get a timely response. Four indicated that they sometimes contact their own company dispatchers for assistance getting through to the First Transit dispatchers. Two indicated that their own dispatchers sometimes intervene and move trips for them. Three drivers felt the level of assistance was less than mixed with one indicating receiving assistance only “2 in 10 times,” another saying “rarely,” and the third saying it was mostly “do the best you can.” The remaining three drivers indicated that they received assistance most of the time.

Almost all drivers were very familiar with most of the key operating policies and procedures. Eighteen of the 19 interviewed had a very good sense of the 30-minute on-time pickup window. There was some mixed response on the extra 15 minutes beyond the 30-minute window. Several said it was okay to be up to 15 minutes outside the window. Others indicated that they were

trained to be within the 30-minute window. Some also said it was okay to be up to 15 minutes early, while others said they were instructed not to be early.

All 19 of the drivers knew the proper procedures for handling no-shows. All noted the required wait time (although one of the 19 said it was a 5-minute rather than 6-minute wait time). Most indicated they go to the door to try to locate the passenger. All knew that dispatch must be contacted and that authorization must be received from dispatch before proceeding.

All 19 also indicated that they provide assistance beyond the curb. Most said that while RTD policy was assistance “as needed,” their own company policy and training was to always assist, unless assistance was refused or clearly not needed.

When asked if they needed to run early to stay on time, four of the 19 drivers said they often ran early to stay on time, eight said “sometimes,” and the remaining seven said “no” or “rarely.” Two of the drivers who said they rarely have to run early said it is sometimes helpful to be ahead of schedule, but not necessary to stay on schedule. All 19 drivers indicated that if riders are not ready, they wait and do not require that they leave early. Some said they would ask to see if riders could go early.

Most drivers indicated that there are sometimes differences between the pickup windows on the manifests and the windows given to riders. Seven of the 19 drivers said the differences occur sometimes (e.g., once a week or one in 10 trips). Another five said it happens “often.” The remaining seven said it rarely happens or not at all. The 12 drivers who indicated times are different said the differences range from a few minutes to up to an hour. Most indicated differences of 15–30 minutes.

Drivers were also asked if information on the manifests about special pickup instructions or rider needs was accurate. Eight said the information was accurate and helpful. The remaining 11 said the information was accurate most of the time. Some drivers indicated that additional information on place names, not just addresses, would be helpful. Two said that mobility aids are sometimes different from what is indicated or there is a “surprise guest.” Several drivers specifically mentioned the Driver Alert Book that RTD has developed that provides detailed information about difficult pickup locations, including photographs and detailed instructions. Most felt this is helpful. Two drivers said the information is helpful but can sometimes be out of date.

Finally, at the end of the interviews, drivers were asked for other issues and general input. Comments included:

- Tight runs are the main problem
- When buses are filled at program sites, some rides are long
- Street names are sometimes spelled wrong
- Problems with many buses at some program sites which causes delays (two comments on this)
- Drive Cams are being used in a punitive way – were told this would not be done
- In cleaning buses, windshields are sometimes spotty and not cleaned well
- Lot where buses are parked is in poor condition
- Cancellations sometimes get to drivers too late and trips are already done

- Not enough time is allowed to board riders who use wheelchairs
- Some drivers need to provide more assistance to riders
- Going well
- Good service
- Being discouraged from using radios since MDTs installed
- Will-call riders often irate with late pickups
- New software system still has a lot of problems
- Circuitous and illogical routing the main issue

**Table 9.3 – Reported Access-A-Ride On-Time Pickup Performance
(January 2001–September 2003)**

Month	Percent of Pickups Reported On Time*	
	2008	2009
January	96.6%	94.3%
February	96.8%	97.0%
March	97.8%	97.2%
April	98.3%	97.1%
May	98.0%	97.2%
June	91.0%	97.3%
July	90.7%	NA
August	90.9%	NA
September	91.6%	NA
October	95.2%	NA
November	95.7%	NA
December	92.3%	NA

* Pickups are reported as on-time if made within the 30-minute ready window (5 minutes before to 25 minutes after the initial scheduled (negotiated time), if made before the window, or if made up to 15 minutes after the window.

9.5 On-Time Performance

Reported On-Time Performance

Table 9.3 shows the on-time performance for pickups reported by RTD for the period from January 2008 through June 2009. RTD indicated that these on-time performance percentages include pickups made early (before the start of the on-time window), within the 30-minute on-time window, as well as pickups made up to 15 minutes after the end of the 30-minute window.

Based on this method of calculation, performance was between 96.6 and 98.3 percent from January through May 2008 (the period prior to the software transition). Performance dropped by 5–8 percentage points from June –September 2008, the months just after the June 7, 2008, transition to new software. With the exception of December 2008, which managers noted was a severe weather month, performance improved. In the first six months of 2009, on-time pickup performance is reported to be similar to pre-transition levels.

As noted earlier in this section, at the time of the review, RTD did not have an on-time drop-off standard and does not track or report on-time drop-off performance.

Calculated On-Time Pickup Performance

In order to develop an independent estimate of on-time performance and to verify RTD's reported performance, the review team analyzed a sample of Access-A-Ride trips completed on a randomly selected day. A 10 percent sample of trips was drawn and on-time performance was calculated for these trips. On-time pickup performance as well as drop-off performance was calculated.

RTD manifests contain separate lines for each pickup and drop-off. The schedule information in the manifest includes the time that the schedulers suggest that the driver should arrive at the pickup or drop-off location (shown in large boldface numerals). The manifest also includes the pickup window (in small numerals within brackets) that is based on the negotiated pickup time given to the rider by the reservationist in the original phone call or in a follow-up callback to the rider. The window extends from 5 minutes before the negotiated time to 25 minutes after this time. At the time of making the reservation (or during a callback if the trip cannot be immediately scheduled) the rider is given a 30-minute pickup window whose starting time is rounded to the nearest 5 minutes before the negotiated time determined by the scheduling software. For example, the rider may request a particular drop-off time that leads the software to propose a pickup at 8:37 a.m. The rider is told to be ready between 8:30–9 a.m., but the manifest would show the window as 8:32–9:02 a.m.

RTD's on-time performance for pickups was analyzed with respect to the negotiated pickup time. The analysis compared actual arrival time of the van to the negotiated time. The percentage of actual arrivals within the window from 5 minutes before to 25 minutes after the negotiated time was calculated as well as the percentage in a number of time increments before and after the window. These results are shown in Table 9.4.

The analysis is based on a 10 percent sample of the actual trips on Wednesday June 24, 2009. The sample comprised every 10th trip on the actual manifests for each carrier on that day, excluding trips that were canceled or no-shows; the procedure sampled at the same rate for all four contract carriers. The resulting sample included 225 actual trips. For these trips, the negotiated time based on the manifest's pickup window was compared to the actual arrival time as noted by the driver on the manifest.

For the sample of 225 actual pickups, approximately 64.9 percent of the vehicles arrived within the 30-minute negotiated window, 5.3 percent arrived after the window, and 29.8 percent arrived before the start of the window. Using RTD's stated performance standard for Access-A-Ride, 98.7 percent of the pickups met the standard. A different standard more representative of current national practices in the paratransit industry would define on-time as occurring within the window or up to 30 minutes before the window but not after the end of the window. Using this standard, on-time pickup performance was 93.8 percent. The principal difference between calculated performances using these two different standards is the 4.0 percent of van arrivals within 15 minutes after the window, which RTD includes in its definition of on time.

Table 9.4 - Calculated On-Time Pickup Performance on June 24, 2009
Van arrival time relative to negotiated pickup window
(5 minutes before to 25 minutes after negotiated time)

Pickups	Number	Percent
>30 minutes after window	2	0.9
16–30 minutes after window	1	0.4
1–15 minutes after window	9	4.0
In window (-5/+25 minutes)	146	64.9
1–15 minutes before start of window	60	26.7
16–30 minutes before start of window	5	2.2
>30 minutes before start of window	2	0.9
	225	100.0
Summary:		
In 30-minute window	146	64.9
Any amount before to 15 min after window (RTD definition of on-time)	222	98.7
In window or <30 before window	211	93.8

Calculated On-Time Drop-Off Performance

At the time of the review, RTD did not have a performance standard for drop-offs for going trips, i.e., from the rider's initial pickup location for the day to a destination. For trips from the rider's origin to a medical appointment or other destination that requires the rider to arrive on time, the timeliness of the drop-off prior to the appointment time may be of particular concern to the rider probably more so than the timeliness of the pickup.

The observed reservationists handling Access-A-Ride calls generally asked the rider their appointment time. They backed up 15 minutes from that time and entered that time as the requested drop-off time. A reservationist (or scheduler) then used the scheduling software to select a trip consistent with the requested drop-off time and informed the rider of the proposed pickup window. This procedure creates the negotiated pickup and drop-off times.

The review team analyzed a 10 percent sample of trips on June 24, 2009, for which there was a requested drop-off time, which is 15 minutes prior to the rider's actual appointment time. There were 117 trips in the sample. As RTD had no standard for on-time drop-offs, the review team used a 30-minute drop-off window. Table 9.5 shows the results of the analysis, first showing performance relative to the scheduled drop-off time on the driver's manifest then adjusting the results by shifting 15 minutes to correspond to the actual appointment time. (For example, the adjusted 30-minute window corresponds to the drop-offs that occurred 0–15 minutes before scheduled and 1–15 minutes after scheduled.) Approximately 11.1 percent of the drop-offs were late, occurring after the actual appointment time. Approximately half of the drop-offs were early, occurring more than 30 minutes before the appointment time, and 24.8 percent occurred more than 45 minutes before the appointment time.

Table 9.5 - Calculated On-Time Drop-off Performance on June 24, 2009
Actual Drop-off Relative to Scheduled Drop-off Time

Drop-offs	Number	Percent
>30 minutes after scheduled	1	0.9
16–30 minutes after scheduled	12	10.3
1–15 minutes after scheduled	15	12.8
0–15 minutes before scheduled	31	26.5
16–30 minutes before scheduled	29	24.8
>30 minutes before scheduled	28	23.9
>60 minutes before scheduled	1	0.9
	117	100
Adjusted for 15-minute shift:		
Late	13	11.1
In 30-minute window	46	39.3
Before 30-minute window	58	49.6
	117	100.0

9.6 Coding of No-Shows and Missed Trips

RTD prepares a report of rider no-shows that it plans to use to determine if riders have a pattern of frequently no-showing scheduled trips. For June 24, 2009, the review team examined the report provided by RTD and checked each reported no-show against the completed manifest for the day showing the pickup window and actual arrival time and departure time of the van as noted by the driver. The examination considered any notations on the manifest indicating whether the dispatcher had provided information such as a late cancellation, but the dispatch logs were not examined for the review of the reported no-shows.

There were 65 trips classified as no-shows in the report. The manifests indicated that in three instances (5 percent of the total) the van arrived after the end of the pickup window and should therefore have been classified as a missed trip, not a no-show. In 13 instances (20 percent of the total) the van departed without the rider less than 6 minutes into the pickup window. As the User's Guide is specific about the vehicle arriving on time and waiting 6 minutes, it is incorrect to classify a trip as a no-show if the vehicle leaves before waiting 6 minutes within the pickup window. As noted above, there may be circumstances not noted on the manifests that would explain why the driver left the pickup location early, but based on the manifests and any notes made on them by the drivers, there was inadequate documentation to classify these trips as no-shows.

There were several discrepancies between the arrival and departure times shown in the Detailed No-show and the manifests for trips Special Transit, Global, and Coach USA. There appears to have been a time lag between the driver using the MDT to transmit arrival or departure times and the time recorded by the system. These time discrepancies ranged from 2–15 minutes. Whatever the cause of this transmission delay, it introduces an inaccuracy in the determination of whether a no-show should actually be charged to the rider. Because MV's vehicles did not have MDTs capable of registering arrival and departure times by pressing a button on the terminal on the day in question, there were no discrepancies noted. The MV vehicles now have this capability.

Although the 13 out of 65 trips on the sampled day that appear to be incorrectly classified may have explanations due to circumstances not apparent from the manifests, it is important for the assessment of no-shows to be accurate because of the potential for suspensions to be assessed against riders. Drivers should be scrupulous in waiting the full 6 minutes after the beginning of the pickup window or documenting why they did not wait the full 6 minutes. Any notes by the driver or dispatcher explaining why the trip should be considered a no-show should then be considered along with the No-show Report in assessing suspensions from service. As there appears to be a time lag in the transmission of arrival and departure times through the MDTs, these times should be verified before determining that the driver was at the pickup location for the full 6 minutes within the pickup window.

In an effort to reduce missed connections, no-shows, and missed trips, RTD has developed a Driver's Alert Book. This book contains detailed information about pickup locations that are found to be difficult to locate or problematic to access. As drivers and dispatchers identify problem locations, staff is sent to assess the site and develop a plan for future pickups. Photos of the location are also taken for inclusion in the book. The Driver's Alert Book is then made available to drivers and these locations are also flagged on the run manifests. If a trip involves a pickup at one of these difficult locations, it is noted on the manifest along with the page number in the Driver's Alert Book. Drivers can look up the location in the book. As noted earlier, several drivers indicated that the Driver's Alert Book has been helpful.

9.7 On-Board Ride Times

The review team analyzed data from a report of all 2,296 trips completed Wednesday June 24 printed from RouteMatch. This data was analyzed to determine travel times.

The review team used four approaches to evaluate trip length and to compare Access-A-Ride travel times with equivalent fixed route travel times. This included:

- Determining the range of travel times for a randomly selected day
- Calculating the number and percentage of trips that exceeded RTD's informal 90-minute maximum travel time standard
- Comparing a sample of the longest trips to similar trips made by fixed route
- Investigating trips with the longest travel times for the selected sample day

First, the travel time for all trips on the sample day of June 24 was calculated. Table 9.8 shows that the average travel time for June 24, 2009, was approximately 39 minutes. Approximately 83 percent of trips had travel times of 60 minutes or less and 96 percent were 90 minutes or less. Only 3.5 percent of trips had travel times of 91–120 minutes, and 0.3 and 0.6 percent (1 trip) respectively were more than 120 minutes.

Table 9.8 – Access-A-Ride On-Board Travel times: June 24, 2009

	June 24, 2009
Number of Trips	2,296
Average Travel Time	39 minutes
< 30 minutes	44.2%
31–60 minutes	38.3%
61–90 minutes	13.8%
91–120 minutes	3.4%
> 120 minutes	0.3%

Second, travel times on June 24, 2009, were analyzed against RTD's informal standard that states that travel times for even the longest trips are restricted to no more than 90 minutes. The same printout of 2,296 trips provided on June 24, 2009, was used for this analysis. Of the 2,296 trips included in the report, 86 (3.7 percent) had actual on-board travel times exceeding 90 minutes.

Third, a sample was drawn from the RouteMatch report, which included trips provided on June 24, 2009, that were 60 minutes or longer. Approximately every tenth trip was selected from the list, which contained 402 trips, beginning with the tenth trip. The actual travel times for a sample of 35 ADA complementary paratransit trips that were 61 minutes or longer were compared to fixed route travel times as a means of assessing whether these paratransit trip lengths were significantly longer than comparable fixed route trips from the same origin to the same destination at the same time of day

The review team worked with RTD's web based trip planner, using the Google option, to develop comparable fixed route trip itineraries including estimated walking times to/from the bus or rail stops. Based on the actual paratransit origin and destination addresses and time of day, the review team determined the route(s) that one would use to make the same trip using RTD's fixed route service. In most cases, the trip itineraries required bus travel only but several trip itineraries included light rail. Each fixed route travel time is the sum of the following components:

- Travel time on each bus or rail link
- Transfer (waiting) time for multi-link trips
- Walking time allowance at each end of the trip, based upon estimates provided by the Google option.
- A five-minute wait time for the first leg of the trip.

The second column in Table 9.9 shows the origin and destination for each Access-A-Ride trip included in the sample (addresses were rounded down to the nearest 100 block). The next two columns show the outcome of the Access-A-Ride trips including the start/end times of the trips and the actual travel time. The next four columns show the fixed routes and number of transfers that would be required to complete the trip, the vehicle plus transfer travel time, the allowance added for walking to/from the stop or station, including a five-minute waiting period for the first leg of each trip, and the total travel time.

The final two columns compare the ADA complementary paratransit service with RTD's fixed route travel times. In the Travel Time Difference column, the figures represent the difference in

travel times between the two modes. A minus sign (-) indicates that the ADA complementary paratransit travel time was less than the estimated travel time for a comparable fixed route trip. In the “Travel Time Ratio” column, a value less than 1.0 means there would have been a shorter travel time for ADA complementary paratransit service, a value of 1.0 means the trips would have been the same length, and a value greater than 1.0 means the ADA complementary paratransit trip would have been longer than the comparable fixed route itinerary.

As shown in Table 9.9, the average travel time for the sample Access-A-Ride trips was 80 minutes. The average travel time for the comparable fixed route trips was 86 minutes (including walking time to/from stops and stations). All but three fixed route trips would have required at least one transfer, with an average of 1.5 transfers.

The table also shows that on average, Access-A-Ride trips were 6 minutes shorter than comparable trips made by fixed route. In addition, 77 percent (27) of the 35 trips included in the sample had travel times that were no more than 20 minutes longer than comparable fixed route travel times. Of the trips that were longer by more than 20 minutes on Access-A-Ride (#2, #7, #9, #15, #16, #20, #23 and #35), four were between 21 and 30 minutes longer than an equivalent fixed route trip, two were between 31 and 40 minutes longer and two were between 41 and 50 minutes longer. Given that approximately 17.5 percent of all trips on that day had travel times of more than 60 minutes, and given that the analysis of a sample of these trips found that 77 percent had travel times that were comparable or shorter than fixed route times, it is therefore estimated that approximately 4 percent of trips on Access-A-Ride with on-board travel times of more than 60 minutes are significantly longer than comparable fixed route trips.

Most long travel times occur on regularly scheduled group trips to human service program locations, particularly for the customers who are picked up first in the morning or dropped off last in the afternoon, as indicated by the repetition of certain addresses and customer names in the set of paratransit trips with long travel times analyzed here. Among the 35 trips presented in Table 9.9:

- Two trips (#9, #15) have the same destination (an adult day center) with paratransit trips that are 38 and 48 minutes longer than their respective comparable fixed route trips
- Two trips (#7, #23) have the same destination (Goodwill Industries) with paratransit trips that are 26 and 46 minutes longer than their respective comparable fixed route trips

This does constitute a capacity constraint because it is “an operational pattern or practice” under 37.131(f)(3)(i)(C)) of long trips for individuals traveling to and from these destinations.

It is also possible that some of the long trips could be a result of no-shows and/or rerouting done in response to cancellations or the need to reassign trips from one vehicle to another because of a driver or vehicle issues.

Trips with the longest travel times were investigated in more detail. Five trips were identified as having travel times greater than three hours on the sample day of June 24, 2009. The driver manifests for these trips were reviewed to verify actual pickup and drop-off time and to look for causes for the long recorded travel times. In four cases, it was determined that a data entry error had occurred that resulted in the trips being recorded with long travel times. These four trips actually had travel times less than 60 minutes. The review team was not able to find the fifth trip on a run manifest. It was listed in the system but with no actual pickup or drop-off times. It is possible that this trip was an add-on and was not properly reconciled.

Table 9.9 – Comparison of Travel Times on Access-A-Ride vs. Fixed Route for Selected Trips: June 24, 2009

Trip	O/D Addresses	Access-A-Ride		Fixed Route Comparison				Travel Time Difference Para-FR (mins)	Travel Time Ratio Para/FR
		Start/End Times	Travel time (mins)	Fixed Routes	Ride + Transfer Time	Walk/Wait Time	Total FR Travel Time		
#1	2800 W 52 nd Ave, Denver	14:51	119	31 / LR 101 / 66	104	31	135	-16	0.9
	6500 Rifle Way, Aurora	16:50		2 transfers					
#2	5600 Gray Street, Arvada	13:57	110	76 / 3/ 14	53	34	87	23	1.3
	11400 W Hawaii Ave., Denver	15:47		2 transfers					
#3	19300 E 39 th Ave, Denver	07:11	104	43 / AF / 8	86	8	94	10	1.1
	5100 Lincoln St, Denver	08:55		2 transfers					
#4	5700W Alameda Ave, Lakewood	14:01	101	3 /LR 101 / 135	105	10	115	-14	0.9
	23900 E. Prospect Ave, Aurora	15:42		2 transfers					
#5	2900 S Raleigh St, Denver	07:22	99	30 / 8 /	69	10	79	20	1.3
	5100 Lincoln St, Denver	09:01		1 transfer					
#6	23900 E Prospect Ave, Aurora	07:40	98	135 / LR 101 / 3	88	10	98	0	1.0
	5700 W Alameda, Lakewood	09:18		2 transfers					
#7	1100 S Quivas St, Denver	06:51	94	14 / LR 101 / 31	60	8	68	26	1.4
	6800 Federal Blvd, Denver	08:25		2 transfers					
#8	18800 E Hampden Ave, Aurora	06:53	92	133 / LR 101 / 31	88	9	97	-5	0.9
	6900 Federal Blvd, Denver	08:25		2 transfers					
#9	14900 E Radcliff Dr, Aurora	07:28	90	153	20	27	42	48	1.9
	15900 E Centretch Pkwy, Aurora	08:58		0 transfers					
#10	3500 S Nelson Cir, Denver	08:24	88	100 / 76 / 72	110	19	129	-41	0.7
	7100 Broadway, Denver	09:52		2 transfers					
#11	18200 E Atlantic Dr, Aurora	06:03	86	133 / LR 101 / 16L / 76	96	19	115	-29	0.7
	6800 W 52 nd Ave, Arvada	07:29		3 transfers					
#12	19500 E Bethany Dr, Aurora	08:10	85	133 / LR 101 / 0	62	19	81	4	1.0
	3200 S Acoma St, Englewood	09:35		2 transfers					

Trip	O/D Addresses	Access-A-Ride		Fixed Route Comparison				Travel Time Difference Para-FR (mins)	Travel Time Ratio Para/FR
		Start/End Times	Travel time (mins)	Fixed Routes	Ride + Transfer Time	Walk/Wait Time	Total FR Travel Time		
#13	16900 E Prentice Dr, Aurora	08:05	84	135 /LR 101 / 3	94	17	111	-27	0.8
	100 S Union Blvd, Lakewood	09:29		2 transfers					
#14	5100 Lincoln St, Denver	13:53	84	8 / LR 101 / 105	68	10	70	14	1.1
	3600 S Narcissus Way, Denver	15:17		2 transfers					
#15	10900 Montview Blvd, Aurora	07:09	82	20 / 121 / 10	36	8	44	38	1.9
	15500 Centretch Pkwy, Aurora	08:31		2 transfers					
#16	1300 S Valentia St, Denver	15:24	81	83L / 130	39	13	52	29	1.6
	2800 S Helena Way, Aurora	16:45		1 transfer					
#17	3200 Chase St, Denver	15:11	79	52 / 3L	78	10	88	-10	0.9
	6500 E Alaska Dr, Denver	16:30		1 transfer					
#18	1200 Newton St, Denver	07:45	76	16 / 7	51	26	77	-1	1.0
	5100 Lincoln St, Denver	09:01		1 transfer					
#19	2100 S Cook St, Denver	06:55	75	LR 101 / 8	52	19	71	4	1.1
	5100 Lincoln St, Denver	08:10		1 transfer					
#20	14900 E Arizona Pl, Aurora	07:04	75	153 / 121	35	19	54	21	1.4
	4700 Paris St, Denver	08:19		1 transfer					
#21	1900 Quentin St, Aurora	14:05	74	121L / LR 101 /14	94	22	116	-43	0.6
	11400 W Exposition Dr, Lakewood	15:19		2 transfers					
#22	1000 Parthenon Pl, Lafayette	08:19	72	Dash / L /15L	117	38	155	-83	0.5
	16400 E 7 th Ave, Aurora	09:31		2 transfers					
#23	4500 S Himalaya St, Aurora	07:13	71	139 / LR 101 /31	99	18	117	46	0.6
	6800 Federal Blvd, Denver	08:24		2 transfers					
#24	5100 Lincoln St, Denver	14:32	71	8 / LR 101 / 66	74	12	86	-15	0.8
	6500 S Kit Carson St, Littleton	15:43		2 transfers					
#25	1000 S Fulton St, Denver	07:53	70	11 / 83L / 6 / 8	73	6	79	-9	0.9
	5100 Lincoln St, Denver	09:03		3 transfers					
#26	5100 Lincoln St, Denver	14:01	69	7 / 15L	80	16	96	-27	0.7
	20000 E Batavia Dr, Aurora	15:10		1 transfer					

Trip	O/D Addresses	Access-A-Ride		Fixed Route Comparison				Travel Time Difference Para-FR (mins)	Travel Time Ratio Para/FR
		Start/End Times	Travel time (mins)	Fixed Routes	Ride + Transfer Time	Walk/Wait Time	Total FR Travel Time		
#27	3400 Holly St, Denver	15:17	67	43 / 65	33	16	49	18	1.4
	1200 S Oneida St, Denver	16:24		1 transfer					
#28	3400 W 32 nd Ave, Denver	09:41	65	32 / O	42	8	50	15	1.3
	700 S Broadway, Denver	10:46		1 transfer					
#29	12800 E Nevada Cir, Aurora	08:06	64	121	35	24	59	5	1.1
	3200 Revere St, Aurora	09:10		0 transfers					
#30	500 S Swadley St, Lakewood	07:24	64	3 / LR101 / 8	79	14	93	-30	0.7
	5100 Lincoln St, Denver	08:28		2 transfers					
#31	9900 E Peakview Ave, Englewood	11:45	63	AT	43	32	75	-12	0.8
	8400 Pena Blvd, Denver	12:48		0 transfers					
#32	100 S Union Blvd, Lakewood	15:12	62	3 / LR 101	62	17	79	-17	0.8
	2300 S Krameria St, Denver	16:14		1 transfer					
#33	3400 Holly St, Denver	14:56	61	43 / 73 / 79 / 135	105	21	126	-65	0.5
	6000 S Ukraine St, Aurora	15:57		3 transfers					
#34	11800 Grant St, Northglenn	05:30	61	7 / 32	73	11	84	-23	0.7
	2300 Steele St, Denver	06:31		1 transfer					
#35	9400 Sheridan Blvd, Westminster	14:45	61	92	8	18	26	34	2.3
	2000 W 92 nd St, Federal Heights	15:46		0 transfers					
	Averages		80	1.5 transfers	69	17	86	-6	0.9

Notes: Addresses are rounded down to the nearest 100 block

Additional travel times for each end of the fixed route trip are based upon the Google estimates of walking time.

9.8 Findings

1. RTD's on-time performance standard is to make at least 93 percent of all pickups on time. There is some inconsistency in the way that on time and late trips are defined. On-time trips appear to be those where the pickup takes place within or before the 30-minute pickup window negotiated with riders. However, trips are not considered to be late until the pickup is more than 15 minutes after the end of the 30-minute pickup window. RTD reports on-time pickup performance to include trips that are performed up to 15 minutes after the end of the 30-minute pickup window.
2. RTD defines no-shows and missed trips in a manner that appears to be consistent with DOT ADA regulations. However, the actual suspension policy can easily result in suspensions of service where a true pattern or practice of missing scheduled trips does not exist. In addition, inconsistencies surrounding the definition of on-time and late vehicle arrivals create confusion about whether a trip not taken is a no-show (chargeable to the rider) or a missed trip (chargeable to RTD). This is particularly problematic in terms of the coding of trips not taken by riders when the vehicle arrives from 1–15 minutes after the end of the 30-minute on-time window.
3. RTD has not established a formal on-board travel time standard for the Access-A-Ride service. The informal standard is that Access-A-Ride trips should be no more than twice the fixed route travel time. The policy that no paratransit trip should exceed two times the amount of time a similar fixed route trip would take is inconsistent with DOT ADA regulations at 49 C.F.R. § 37.121, concerning comparable travel time.

9.9 Recommendations

1. RTD should clarify that on-time performance is measured by pickups made within the 30-minute on-time window negotiated with riders on every trip reservation call. A trip should be considered late if the pickup takes place after this 30-minute window. If RTD wants to apply performance penalties against contractors only for pickups made more than 15 minutes late, RTD should refer to these pickups to as significantly late.
2. RTD should establish a standard for on-time drop-offs. To be consistent with the on-time pickup standard, the drop-off standard might be something like: at least 93 percent of drop-offs where there is a stated appointment or desired arrival time should be made no later than the appointment/desired arrival time and no more than 30 minutes before the stated appointment/desired arrival time.
3. RTD should clarify with its riders, call center contractor, and carriers that any trips not taken where the vehicle arrives after the end of the 30-minute window will be coded as missed trips caused by the transit provider rather than no-shows. This includes trips not taken when the vehicle arrives from 1–15 minutes after the end of the 30-minute on-time window.
4. RTD should consider adopting an on-board travel time standard that compares Access-A-Ride travel times to actual fixed route travel times for similar trips. The fixed route travel time could then allow time for walking to and from the bus stops and any transfer times that might be involved. Access-A-Ride travel times that were significantly longer than these fixed route travel times, with allowances for getting to and from stops, should be considered excessively long.

5. RTD should work with its call center contractor to set more appropriate travel time parameters in RouteMatch. The Trip Length Factor feature in the software should be used to set maximum travel times that are scaled to trips of various lengths. It is recommended that any new parameters be thoroughly tested and analyzed before they are applied in service.
6. RTD should track and report on-time drop-off performance.
7. RTD should accurately record stated appointment times rather than enter times that are 15 minutes before the actual stated appointment times. In order to protect against late drop-offs and allow riders time to get from the vehicle to their destination, the drop-off window should be set to not allow drop-offs that are too close to the stated appointment time.
8. RTD should correct the way that it sets the drop-off window in RouteMatch, linking the window to the stated appointment time rather than to the scheduled drop-off time. However, this parameter change should be thoroughly analyzed and tested before being applied to actual service.
9. RTD should work with the RouteMatch manufacturer to improve the trip reservation and scheduling function to minimize the number of trips that remain unscheduled. This will allow schedulers to spend more time fine-tuning schedules before they are transmitted to the service providers.
10. RTD should work with the RouteMatch manufacturer to improve the dispatch functionalities in the software. In particular, improvements should be made to allow future trip times to be estimated based on actual recorded times and for trips projected to be late to be flagged in a single, combined screen. This will then allow dispatchers to easily identify and focus on trips and runs that are likely to be late rather than on reacting to calls from drivers after they are already running late.

10 Resources

Section 37.131(f) of the DOT ADA regulations prohibits operational patterns or practices that significantly limit the availability of service to ADA paratransit eligible riders. The review team examined the resources made available by RTD to provide ADA complementary paratransit service. This information included:

- Consumer comments on driver performance and vehicle condition
- Driver comments on training and vehicle condition
- Information on the vehicle fleet
- Number of drivers and tenure/turnover
- Availability of vehicles and drivers to cover scheduled runs
- Operating budget for the service and the process used to estimate funding needs

The review team also compared the paratransit ridership in the RTD service area with ridership in other systems using a national paratransit demand model.

10.1 Consumer Comments

All seven of the riders and disability agency staff contacted by phone in advance of the on-site review reported positive interactions with the drivers. Drivers were characterized as “good,” “great” or “wonderful.” Individuals contacted also said that assistance provided by drivers was appropriate and helpful.

All seven individuals contacted also indicated that the vehicles used in service were clean and well maintained. None of the respondents indicated any incidents of being on board a vehicle that broke down or had a malfunction. No issues were raised with vehicle design.

A review of complaints received by RTD from August 1, 2008, through July 31, 2009, showed 204 complaints related to driver performance out of 1,931 total complaints (10 percent). The most common types of complaints were for careless driving (94), a failure to provide door-to-door service (25), a failure to provide other needed assistance (22), getting lost en route (21), and “unsafe acts” (18). There were also 89 commendations for good driver performance during this one-year period.

Only nine complaints about vehicle condition were received by RTD between August 1, 2008, and July 31, 2009, (less than ½ of one percent). Three indicated the vehicles “needed repairs,” two noted that the lift failed in service, two said there was no air conditioning, one that there was no heat, and one said that the vehicle was dirty.

None of the four formal ADA complaints on file with FTA related to vehicle condition or driver performance.

10.2 Vehicle Fleet

Vehicle Age and Condition

At the time of the on-site review, RTD owned 323 vehicles that it leased to its contracted service providers for use in the Access-A-Ride program. Table 10.1 shows the number of vehicles assigned to each service provider by model year. As shown, 157 vehicles are assigned to MV,

56 are assigned to Global, 56 are assigned to Coach USA (CUSA), and 54 are assigned to Special Transportation Services (STS). More than half of the fleet (141 vehicles) is made up of model year 2008 vehicles that were only one year old at the time of the review. Another 63 vehicles were model year 2007, 115 were model year 2006, and four were model year 2005. Average fleet age was therefore approximately 1.9 years at the time of the review. Vehicles were also fairly evenly distributed among the service providers with average age varying only from 1.6–2.1 years.

Table 10.1 – Access-A-Ride Fleet By Service Provider and Model Year

Model Year	MV	Global	CUSA	STS	Total
2005	3	1	0	0	
2006	64	11	19	21	115
2007	33	10	10	10	63
2008	57	34	27	23	141
Total	157	56	56	54	323
Average Years	2.1	1.6	1.9	2.0	1.9

All 19 drivers who were interviewed indicated that vehicles were in good repair. Several commented that maintenance and vehicle cleaning was very good. Eighteen of the 19 also indicated that if they note a problem during the daily pre-shift checks the mechanics address the problems immediately. Only one of the 19 indicated that occasionally issues found in the daily inspection are not fixed immediately.

Vehicle Availability and Spare Ratios

A review of the run structure showed that the maximum number of runs in service at a given time (the peak pullout requirement) was 248. This occurred on Wednesdays from 12–1 p.m. when morning runs were still in service and many afternoon runs also needed to pull out. Given a total fleet of 323, RTD therefore had 75 spares at peak pullout times, a 23 percent spare ratio. This rate appeared to be adequate to ensure that no scheduled runs were closed because of a lack of vehicles.

Vehicle availability records were examined for a randomly selected week (June 21–27, 2009) at each service provider garage. At MV, between 12 and 21 vehicles were held out of service during this selected week. This represented 8–13 percent of the assigned fleet. Only 5-10 vehicles were recorded as being out for repairs. The remainder was for RTD spot inspections or preventive maintenance. Vehicles held out for inspections or routine maintenance could be made available for service if needed. Between 15 and 23 vehicles appeared to be available as spares, beyond peak pullout requirements, each weekday.

At Global, between 3 and 5 of the 56 assigned vehicles were held out on the days examined. This represented only 5–9 percent of the fleet. Global performs maintenance around the clock. They also are not assigned Saturday runs, so routine maintenance can be performed on this off day to maximize vehicle availability. They reported that an adequate number of spares are always available and no runs are closed due to a lack of available vehicles.

At CUSA, a maximum of 3–4 vehicles are held out each day for repairs or maintenance. This represents only 5–7 percent of the 56 vehicles assigned. CUSA contracts with Penske for maintenance and repairs. Penske is co-located with CUSA and performs preventive maintenance

overnight to maximize vehicle availability. Between 8 and 10 vehicles are typically available even during peak pullout on the busiest days.

Similarly, at STS, only 3–4 vehicles are held out each weekday for repairs or maintenance. This represents only 7–9 percent of the 54 vehicles assigned to this provider. With a peak pullout of 35–43 on weekdays, STS typically had 7–16 vehicles available as working spares each weekday.

It was also noted that RTD has purchased vehicles of similar design and from the same manufacturer over the years. This has allowed mechanics to become very familiar with the type of vehicle used and has simplified maintenance, repairs, and the parts inventory.

10.3 Staffing and Driver Training

The review team collected and analyzed information from each service provider about the driver workforce including the total number of drivers, compensation levels and turnover, and driver training.

Driver Availability

Table 10.1 shows the number of drivers employed by each service provider at the time of the on-site review. It also shows the total number of weekday runs typically assigned to each service provider. The ratio of available drivers to assigned weekday runs is then calculated and presented. Typically, a ratio of at least 1.2 drivers per assigned weekday run is needed to provide adequate run coverage.

Table 10.1 – Access-A-Ride Driver Availability and Turnover

Contract Provider	Drivers (9/2/09)	Weekday Runs Assigned	Ratio of Drivers to Runs	Annual Turnover Rate
MV Transportation	196 FT	107–147	1.3–1.8	72%
Global Transportation	63 FT 4 PT	43–46	1.5–1.6	38%
Coach USA	62 FT	36–46	1.3–1.7	55%
Special Transit	62 FT 2 PT	35–43	1.5–1.8	44%
Totals	386 PT	221–282	1.4–1.8	59%

FT=full-time PT=part-time

At the time of the on-site review, MV had a workforce of 196 drivers, all full-time. With between 107 and 147 runs assigned each weekday, MV had a ratio of 1.3–1.8 drivers per weekday run. Global Transportation had 67 drivers (63 full-time and 4 part-time) and a ratio of between 1.5 and 1.6 drivers per weekday run. Coach USA had 62 drivers and was assigned between 36 and 46 runs each weekday, for a ratio of 1.3–1.7 drivers per weekday run. In addition, STS had 64 drivers for 35–43 weekday runs, a ratio of 1.4–1.8 drivers per run. System wide, there were 389 drivers and 221–282 weekday runs, for a total ratio of 1.4–1.8 drivers per run.

The driver turnover rate experienced by each service provider was also considered. Personnel records at each provider were reviewed to determine the number of drivers who left voluntarily or were terminated in recent months. This information was then annualized and an estimate of

the annual turnover was developed for each service provider. In developing the rate, terminations during the first three weeks of employment were not considered, since this most likely reflected training dropouts rather than post-training turnover. The annual turnover rate estimates are included in Table 10.1 above.

Records at MV showed that there were a total of 175 post-training terminations or departures for the 13-month period from August 1, 2008, through August 31, 2009. These records included call-n-Ride drivers as well as Access-A-Ride drivers. Reducing this for only 12 months, and applying a factor of .88 (88 percent of the drivers work on Access-A-Ride) suggested that approximately 141 Access-A-Ride drivers were terminated or left between September 1, 2008 and August 31, 2009. Given an Access-A-Ride workforce of 196 drivers, this result suggests annual post-training turnover of approximately 72 percent. It is possible that this high turnover led to in periodic driver shortages such as the one documented in June 2009.

Coach USA also appeared to have a somewhat high turnover rate. Records showed that a total of 34 drivers were terminated or left voluntarily in the 12 months from September 1, 2008, through August 31, 2009. Again, this did not include terminations or departures within three weeks of the dates of hire. With a total workforce of 62 drivers, this result suggests an annual post-training turnover rate of 55 percent. Even with this high rate, though, Coach USA seemed to be able to consistently maintain enough drivers to cover all assigned runs.

Global Transportation and STS had more moderate rates of turnover. Records at Global showed 17 terminations or departures in the eight-month period from January 1–August 31, 2009. Annualized, this result suggests approximately 25–26 terminations and departures, for an annual post-training turnover rate of approximately 38 percent. Records at STS showed 28 terminations and departures in the most recent 12 months, which suggested a 44 percent annual post-training turnover rate. Both of these providers also appeared to be able to maintain an adequate workforce to perform assigned runs.

Driver Training

Each carrier is responsible for training its drivers. Programs developed by each provider must be approved by RTD. The contract between RTD and the four service providers requires a minimum of 80 hours of training, and programs must include the following:

1. Passenger Assistance Techniques or an equivalent course,
2. National Safety Council defensive driving course or an approved equivalent,
3. Vehicle breakdown, accident, adverse weather, and other emergency procedures,
4. Operation of vehicles and vehicle equipment,
5. Address location ability including map reading,
6. Familiarity with how trips are scheduled,
7. Familiarity with all paperwork,
8. Customer service – dealing with difficult passengers,
9. Communication and conflict management,
10. English competency (reading, writing, and speaking),
11. Use of two-way radios,
12. Sensitivity training.

A review of the training curricula at the four service providers indicated that these training requirements were addressed in the written material. Typically, training includes 1 week of classroom instruction that covers the required topics listed above. Drivers then typically receive at least 1 week of on-the-road instruction. Providers noted that additional on-the-road instruction is provided as necessary and until the trainers sign-off on the competency of each trainee.

Drivers were interviewed during the on-site review and asked if they felt that they received adequate training to do the job. Most of the 19 drivers who were interviewed indicated that the training adequately prepared them for the job and were generally positive about the quality of the instruction. One driver stated, “nothing really can prepare you for the realities of the job,” but seemed to indicate that this was an inherent difference between training and real-life situations, rather than a reflection of the quality of the training. One MV driver indicated that he would have benefited from more orientation to the service area and map reading training.

The drivers interviewed also indicated that ongoing retraining happens in a variety of ways. They noted that some ongoing training is provided during monthly safety meetings where issues such as wheelchair securement or safe driving are sometimes discussed and stressed. Several drivers also indicated that retraining was provided to them following accidents or other in-service incidents.

10.4 Run Coverage

The review team examined pullout records maintained by each service provider to determine if runs were being closed due to a lack of driver availability. Records for the randomly selected week of June 21–27, 2009, were examined. The results are shown in Table 10.2. If scheduled runs were closed by the central call center as it fine tuned and consolidated manifests, providers recorded these as “closed.” If providers were given runs and could not perform them, these were recorded as “dissolved” runs. These runs were turned back to the central call center either to be assigned to another provider or to have the trips same-day dispatched.

Table 10.2 – Access-A-Ride Closed and Dissolved Runs By Provider, June 21–27, 2009

Day/Date	MV Transportation	Global Transportation	Coach USA	STS
Sunday June 21	0 Closed 0 Dissolved	0 Closed 0 Dissolved	0 Closed 0 Dissolved	0 Closed 0 Dissolved
Monday June 22	0 Closed 5 Dissolved	0 Closed 0 Dissolved	0 Closed 0 Dissolved	0 Closed 0 Dissolved
Tuesday June 23	0 Closed 2 Dissolved	0 Closed 0 Dissolved	0 Closed 0 Dissolved	0 Closed 0 Dissolved
Wednesday June 24	2 Closed 1 Dissolved	0 Closed 0 Dissolved	0 Closed 0 Dissolved	0 Closed 0 Dissolved
Thursday June 25	0 Closed 3 Dissolved	0 Closed 0 Dissolved	0 Closed 0 Dissolved	0 Closed 0 Dissolved
Friday, June 26	0 Closed 1 Dissolved	2 Closed 0 Dissolved	2 Closed 0 Dissolved	0 Closed 0 Dissolved
Saturday June 27	1 Dissolved	0 Dissolved	0 Dissolved	0 Dissolved

A closed run is one eliminated by the central call center

A dissolved run is one assigned to the provider but not performed

As shown, the central call center closed six runs (two at MV, two at Global, and two at Coach USA) on Friday, June 26. All six of these runs were closed for run efficiency reasons. Typically, there were not enough trips on the runs to justify keeping them open.

Three of the service providers (Global, Coach USA, and STS) did not dissolve any runs during the sample week. MV dissolved 13 runs during this sample week. Five were dissolved on Monday June 26, three were dissolved on Thursday June 25, two were dissolved each day on Tuesday and Wednesday June 23 and 24, and one was dissolved each day on Friday and Saturday, June 26 and 27. When asked why these runs could not be performed, MV managers indicated that there were an adequate number of vehicles on each of these days and that the runs were not performed because there were not enough drivers. While MV appeared to have an adequate workforce at the beginning of September 2009, they appeared to be short of drivers in June 2009. There did not appear to be enough spare and floater drivers during the sample week studied in June to cover all scheduled and unscheduled call-outs and perform all runs assigned.

10.5 Other Resources

Call Center Staffing

As noted in Chapters 8 and 9, staffing in the dispatch area appeared to be an issue at the time of the on-site review. During the days that the review team was on-site, the dispatch area appeared to be functioning with two to four fewer dispatchers than scheduled. With this reduced staffing, dispatchers appeared to handle from 50–100 runs during peak hours.

Even with full staffing, based on the weekly staffing schedule the dispatch area appears to operate with a high run-to-dispatcher ratio. With approximately 260 weekday peak hour runs and only four to five dispatchers, this suggests a ratio of 52–65 runs per dispatcher. Several of the drivers who were interviewed reported significant problems getting timely responses from dispatchers, particularly during peak hours.

The ratio of runs to dispatchers is more problematic when considering the functionalities of the RouteMatch software are considered. As noted in Chapter 9, the RouteMatch software does not appear to allow for efficient dispatching. Until this is remedied, higher than typical dispatch staffing levels may be needed to effectively manage daily service.

As detailed in Chapter 9, annual turnover in the dispatch area appeared to be approximately 71–78 percent. This high turnover appears to be impacting the call center contractor's ability to adequately staff the dispatch area.

An annual turnover rate among reservationists of 66–78 percent was calculated based on recent personnel records.

10.6 Planning, Budgeting, and Funding

Reviewers met with the RTD Budget Manager to gather information about the process used to develop Access-A-Ride budgets. The Budget Manager stated that RTD uses a zero-based budgeting process, which starts with an analysis of service capacity needs that are then used to estimate operating and capital budgets. The current process starts with an analysis of recent trends in the number of vehicle hours needed to provide service each year. The estimated number of vehicle hours is then multiplied by the rate of reimbursement in the service provider contract to develop a budget for the contracted-service providers. This amount is then added to

expected costs of the call center, the eligibility determination process, and administrative costs to arrive at a total budget for the Access-A-Ride program.

In past years, the process started with an analysis of ridership trends. Ridership for the coming year was projected and an estimate of productivity was then applied to arrive at the projected vehicle-hours for the budget year. RTD managers indicated that productivity has been fairly consistent in recent years, which is the reason that the current process starts with an analysis of trends in vehicle hours.

Operating Budgets

RTD's fiscal year runs from January–December. The budget estimates from the Manager of Paratransit Service are presented to RTD senior staff in August of each year. The budget then goes before the RTD Board in September and is publicly posted in October. Final adoption of the budget takes place in November.

The review team gathered information about Access-A-Ride ridership, operating budgets and actual operating expenses for FY 2001 through 2010. This information is shown in Table 10.4 below. Ridership varied during this period. For example, in 2003, ridership decreased by 5.9 percent, but in 2004 and 2005 ridership increased by 12.8 and 11.6 percent, respectively. This variation in ridership led RTD to adopt an estimate of 4 percent growth per year in RTD's Transit Development Program (TDP) that was in effect prior to 2005. In 2003 through 2005, the initial operating budgets only increased by between 2.5 and 5.2 percent over the final budgets from the previous year. Because ridership actually grew much more than the 4 percent estimate, RTD managers stated that actual operating expenses typically overran the budgets during these years. In 2005, for example, actual operating expenses were almost \$3 million more than the initial budget estimate. Throughout this period, RTD managers noted that significant mid-year adjustments had to be made. As noted in Table 10.4, the final budgets each year increased significantly over the initial budgets.

Estimates for ridership growth have been increased in the current TDP. According to RTD managers, the current TDP estimates ridership increases of between 8 and 9 percent per year for the next several years. This seems to be consistent with actual ridership increases since 2005. In 2006 through 2008, ridership increased by 8.2 percent, 13.1 percent, and 2.8 percent per year, which averages 8 percent per year.

Ridership data from the first 6 months of 2009 shows an apparent decrease in ridership as 326,159 one-way trips were provided between January 1 and June 30, 2009, which is less than half of the 693,100 trips provided in 2008. Until a clear trend can be determined, RTD managers are assuming budget increases in 2009 and 2010. The 2009 budget was set at 7.9 percent above 2008 actual expenditures and the 2010 budget is 12.2 percent above the final 2009 adjusted budget.

Since the transition to the new software, productivity has not been as good as was expected. Prior to June 2008, the Access-A-Ride program consistently operated at approximately 1.3 trips per vehicle-revenue-hour. RTD hoped to achieve a slight increase (to 1.4 trips per vehicle-revenue-hour) with RouteMatch and additional advanced technology. Since June 2008, RTD noted that the productivity has been only 1.1–1.2 trips per hour. If this is not improved, RTD could require an adjustment in the estimated number of vehicle hours needed to meet the

demand. An additional allowance in the 2011 budget may be needed to offset the decrease in productivity.

While there have been challenges in accurately estimating the operating costs in recent years, the budget and expenditure information suggests that RTD fully funds the Access-A-Ride program to meet actual expressed demand and midyear budget corrections are made to reflect revised cost estimates. Final expenditures are not held to the mid-year revisions. Actual expenditures in recent years have typically exceeded final budgets, and the necessary funding has been provided.

Table 10.4 – Access-A-Ride Ridership, Initial and Final Operating Budgets, and Final Operating Costs (FY 2001–2010)

FY	Ridership	Percent	Initial Budget	Increase	Final Budget	Expenditures
2001	427,235	NA	\$13,240,578	NA	\$15,667,000	\$15,722,000
2002	465,272	8.9%	\$17,747,152	13.3%	\$18,218,000	\$18,370,000
2003	437,835	(5.9%)	\$18,676,000	2.5%	\$18,814,000	\$19,501,000
2004	493,926	12.8%	\$19,667,000	4.5%	\$19,913,000	\$20,832,000
2005	551,212	11.6%	\$20,943,000	5.2%	\$22,874,000	\$23,806,000
2006	596,384	8.2%	\$24,833,000	8.6%	\$26,933,000	\$28,178,000
2007	674,419	13.1%	\$29,798,000	10.6%	\$29,698,000	\$30,408,000
2008	693,100	2.8%	\$31,360,000	5.6%	\$32,425,000	\$33,178,000
2009	NA	NA	\$34,990,000	7.9%	\$32,882,000	NA
2010	NA	NA	\$36,882,000	12.2%	NA	NA

Capital Budgets

RTD's plan for Access-A-Ride vehicle purchases is summarized in the TDP. The plan provided for the purchase of 100 cut-away buses in 2009, 20 in 2010, another 20 in 2011, up to 143 in 2012, another 100 in 2013, and 20 in 2014. Over the next four years through 2012, the plan calls for the purchase of 383 vehicles. Given a current fleet of 323 vehicles, this allows for full replacement plus 18 percent expansion.

RTD managers mentioned that they were able to secure significant unexpected capital funding in 2008 and used it to improve the Access-A-Ride fleet. While RTD's 2008 capital plan called for replacement of only 10 vehicles, they were able to acquire 50 vehicles. As a result, the current fleet is quite young. As noted earlier in this chapter, the average fleet age is 1.9 years. It is likely that not all 323 of the current vehicles will need to be replaced over the next five years. The capital allowances in the current TDP should therefore accommodate more than an 18 percent growth in ridership over the next five years.

Analysis of Ridership

Access-A-Ride ridership for 2008 was 693,100 one-way passenger trips. To determine how this level of ridership compares with other transit properties, the review team used a recently developed national ADA paratransit ridership model to estimate the predicted ADA paratransit ridership in the RTD area. The national model, developed by the Transportation Cooperative Research Program (TCRP) and detailed in TCRP Report 119, Improving ADA Complementary Paratransit Demand Estimation, used data from 28 transit systems across the country to model ADA paratransit demand. The model estimates ADA paratransit demand based on the population of the service area, the base fare charged, the percentage of the population with

household incomes below the poverty level, the effective window used to determine on-time performance, the percentage of applicants found conditionally eligible, and whether conditional eligibility is used to do trip-by-trip eligibility in operations.

To estimate demand for the RTD area using this national model, the review team used a service area population of 2,619,000, obtained from the 2007 NTD report. A base ADA paratransit fare of \$4 and an on-time window of 30-minutes were used. U.S. Census information indicated that 12.4 percent of the population in the Denver area had a household income below the poverty level. A conditional eligibility rate of 6 percent was applied.

The final factor in the model asks whether trip-by-trip eligibility has been implemented. As noted in Chapter 6, RTD has implemented some trip eligibility for certain broad weather conditions. However, RTD has not implemented trip eligibility to the extent that some of the systems used to develop the TCRP model have. The review team therefore ran the model for this factor toggled both on and off.

Using these factors, and with trip-by-trip eligibility set to “1” (meaning it was being implemented) the TCRP model estimated demand for ADA paratransit service in the RTD area to be 512,895 one-way trips. With the trip-by-trip factor set at “0” (indicating trip eligibility is not done), the model predicted ridership of 994,333 one-way trips. RTD’s current ridership of 693,100 trips per year is only slightly below the average of these two estimates. A copy of the summary pages from the model showing the two ridership estimates for the RTD area are provided in Attachment I.

10.7 Findings

1. There were no findings of non-compliance in this section of the report.

10.8 Recommendations

1. RTD should work with MV to ensure that an adequate driver workforce is maintained so that scheduled runs do not have to be dissolved and turned back to the call center. A review of pullout records for a randomly selected week showed that 13 runs had been dissolved due to a lack of available drivers. Up to five runs per weekday were dissolved.
2. RTD should work with MV to reduce driver turnover. This should assist with maintaining an adequate driver workforce. It will also provide more experienced drivers who should be more productive.
3. RTD should closely track actual trip productivity in the next few years. As needed, adjustments should be made to estimates used to develop operating budgets and capital plans. Operating budgets for the next few years assume a productivity of 1.4 trips per vehicle-revenue-hour. Since the transition to new software in June 2008, actual productivity has been only 1.1–1.2 trips per vehicle-revenue-hour. Slowing ridership on 2009 appears to have offset this reduction in productivity, but RTD should closely monitor actual productivity and adjust the estimates used in setting annual budgets as needed.

Attachment A
RTD Response to Draft Report

January 9, 2012

Mr. Aaron Meyers
Equal Opportunity Specialist

Aaron.Meyers@dot.gov

Dear Mr. Meyers:

I am in receipt of Mr. John Day's letter dated December 16, 2011 concerning the FTA Review of ADA Complementary Paratransit Service provided by the Regional Transportation District (RTD). As indicated by Mr. Day, the review was performed in Denver, between August 31 and September 4, 2009. It was our pleasure working with the Review Team headed by Susan Clark and considered the review an opportunity to work collaboratively in an effort to identify our paratransit program's strengths and challenges. RTD did in fact begin to address some of the findings discussed during the on-site review while awaiting the draft and final reports. I would like to take this opportunity to discuss Section 3 of the draft report focusing on the various updates to the Access-a-Ride program which have taken place since the initial review in 2009.

Section 3 of the draft report, Description of ADA Complementary Paratransit Service (Access-a-Ride), carefully outlines the general parameters in which RTD provides paratransit services. For the benefit of updating the FTA, I would like to point out the following changes/updates in regards to some of the major categories which were summarized.

FIXED ROUTE FARES

At the time of the review, the one-way, non-discounted RTD Fixed Route Bus and light Rail Fares were as follows:

Type of Service	One-Way, Cash Fare
Local Bus	\$2
Express Bus	\$3.50
Regional Bus	\$4.50
skyRide	\$8-\$12, depending on distance
Longmont Local	\$2
16 th Street Downtown Shuttle	Free
Light Rail	\$2-\$4.50 (zones)

As of January 1, 2011, the fares were updated as follows:

Type of Service	One-Way, Cash Fare
Local Bus	\$2.25
Express Bus	\$4.00

Regional Bus	\$5.00
skyRide	\$9-\$13, depending on distance
Longmont Local	\$2.25
16 th Street Downtown Shuttle	Free
Light Rail	\$2.25-\$5.00 (zones)

Access-a-Ride services continue to charge twice the fare as is charged for comparable fixed route service.

SERVICE AREA / DAYS AND HOURS OF SERVICE

The Access-a-Ride program continues to communicate that our adopted and published policy is to provide complementary paratransit service to serve trips with origins and destinations that are within ¾-mile of fixed route bus or rail service and during the same times and on the same days as fixed route service is provided. In 2009, the policy was suspended due to software issues that prevented RTD from accurately identifying fixed route service times and days and locations outside of the ADA service area. These issues have since been addressed and we have recently informed our riders that RTD expects to enforce this policy by the end of 2012. When responding to the findings cited in the draft report, we will furnish the FTA with additional information regarding this issue.

2008 CHANGES IN SOFTWARE AND ADVANCED TECHNOLOGIES

As discussed with the review team while they were on-site, there were a considerable number of challenges that RTD faced upon transitioning from Trapeze to RouteMatch scheduling software. Accordingly, we have continued to analyze the implementation of the RouteMatch scheduling system within the context of working through the issues with the assistance of the software vendor and our call center service provider, First Transit.

We continued to monitor service delivery, complaints and performance of the reservations and dispatch phone systems at the call center and observed the following during the subsequent time since the initial review:

- Reservation phone system performance- reservation performance continues to exceed the levels of performance prior to the implementation of the RouteMatch system;
- Dispatch phone system performance- Dispatch phone system performance continued to improve and wait times returned to levels that are comparable to the levels that existed prior to implementation of the new system;
- Complaints- Complaints continue to run at levels that are comparable or better than the levels experienced prior to the implementation of RouteMatch;
- AVL/MDT- Devices have been installed on board each Access-a-Ride vehicle and are routinely utilized to identify vehicle location as well as estimated time of arrival.

While the transition to the new technology was challenging for us, we believe that the outcome has resulted in a more reliable service and improved customer service for our clientele.

As noted in the draft report, to combat the initial challenges presented during the implementation of the new scheduling software, staff elected to temporarily discontinue using the software's routing optimizer. As a result of working with the software vendor, system speed was eventually improved allowing us to take full advantage of the optimizer. Currently, the scheduling staff uses the routing optimizer in order to take advantage of the systems scheduling algorithms. RTD completed the final acceptance of the RouteMatch software mid-2010.

ON BOARD TRAVEL TIME STANDARD

As was once common practice among the transit industry, Access-a-Ride had been scheduling trips using a factor of "twice the amount of time" a similar trip could have taken using fixed route services. A combination of improved software performance along with operational changes has improved our on board travel time standard. Currently, trips either take the same amount of time as they would on fixed route or in many instances, take less time.

Staff and I look forward to working with the FTA to address the issues identified in the ADA Complimentary Paratransit Service Compliance Review during the next few months. We will await the final report and prepare our responses to address the findings identified. In the meantime, if I can be of any further assistance, please feel free to contact me at 303-299-2414 or Phillip.washington@rtd-denver.com or Bruce Abel, Assistant General Manager, Bus Operations at 303-299-2839 or bruce.abel@rtd-denver.com.

Sincerely,

Phillip A. Washington
RTD, General Manager

cc: Ms. Monica McCallum, Regional Operations Division Chief
Terry Rosapep, Regional Administrator, FTA Region 8
Rebecca Tanrath, Regional Civil Rights Officer, FTA Region 8
Bruce Abel, Assistant General Manager, Bus Operations
Carolyn Conover, Senior Manager, Contracted Services
Larry Buter, Manager, Paratransit Services

Attachment B
FTA Notification Letter



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

Headquarters

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

July 17, 2009

Mr. Cal W. Marsella
Regional Transit District (RTD)
ATTN: Office of the General Manager / CEO
1600 Blake Street
Denver, CO 80202

Dear Mr. Marsella:

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, and 38, as they relate to public transportation. As part of our ongoing oversight efforts, FTA's Office of Civil Rights conducts a number of on-site compliance reviews of ADA complementary paratransit services. The Regional Transportation District (RTD) has been selected for such a review. The focus of the review will be RTD's compliance with the six paratransit service criteria outlined in the DOT ADA regulations at 49 CFR § 37.131.

The overall review process will consist of the collection of data prior to the visit, an opening conference, an on-site review of RTD's 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 Planners Collaborative, Inc. (PCI), of Boston, MA, assisted by TranSystems of Medford, MA to conduct the compliance review. Representatives of PCI and TranSystems and FTA will participate in the opening and exit conferences. Ms. Susan Clark, the Program Manager for this compliance review, has already contacted your organization to notify you of the on-site visit and has confirmed Monday, August 31, 2009, for commencement of the on-site visit.

We request 9 a.m. for the opening conference. This will provide an opportunity for an introduction of the FTA representatives and PCI and TranSystems reviewers to members of your organization, including you or your designee, the paratransit service manager, the ADA coordinator, and other key staff. During the opening conference, team members from PCI and TranSystems will present an overview of the on-site review.

Because the members of the review team will be spending considerable time reviewing RTD's paratransit service, it would be helpful if you could provide them with temporary identification to permit easy system access. We also request that you identify a RTD staff contact to coordinate the on-site review and address questions that may arise during the review. In addition, we request that a work area be made available to the team in the building where the opening and exit conferences take place.

In order that we may properly prepare for the on-site visit, we request that you provide the information outlined in Enclosures 1 and 2. Enclosure 1 consists of items that must be received within 21 calendar days of the date of this letter. These materials should be forwarded to:

Russell Thatcher
TranSystems Corp.
One Cabot Road
Medford, MA 02155
(781) 396-7775 x30209
rhthatcher@transystems.com

Enclosure 2 consists of items that will be needed at the initiation of the review.

We request that the exit conference be scheduled for 2 p.m. on Friday, September 4, 2009. This conference will afford an opportunity for the reviewers to discuss their observations with you and your organization. We request that Mr. Washington or his designee, the RTD paratransit service manager, the ADA coordinator, and other key staff attend the exit conference. Findings will be made by the FTA Office of Civil Rights and provided to you in a written draft at a future date. You will then have an opportunity to provide comments before the report becomes final. When the report is transmitted to RTD in draft form, it will be a public document and subject to the Freedom of Information Act upon request.

RTD staff are welcome to accompany the review team during the review, if you so choose. We welcome your suggestions and encourage your participation in the review by asking questions or commenting on any issues you may feel are relevant. If you have any questions or concerns prior to the opening conference, please contact Susan Clark at 202-493-0511 or at her e-mail address: sue.clark@dot.gov. You may also contact Russell Thatcher, whose contact information is above.

Thank you for your assistance and cooperation as we undertake this process together. We look forward to a meaningful and successful review.

Sincerely,



Cheryl L. Hershey
Director
FTA Office of Civil Rights

Enclosures

cc: Terry Rosapep, FTA Region VIII Administrator
Rebecca Tanrath, FTA Region VIII Civil Rights Officer
Debi Duggan, FTA Region VIII Transportation Program Specialist
Phil Washington, RTD Interim General Manager
Bruce Abel, RTD Asst. General Manager, Customer & Contracted Services

The following information must be submitted to TranSystems. within 21 calendar days from the date of this letter.

1. A description of how the ADA complementary paratransit service is structured and provided, including:
 - How trip requests/reservations are handled (by a central reservation office? by each carrier?), and the address(es) where reservations are taken.
 - How trips are scheduled (by a central scheduling office? by each carrier?) and the address(es) where scheduling is done.
 - How dispatching is handled (centrally? by each carrier?) and the address of the central dispatch office or the carrier dispatch sites).
2. A copy of the current broker and carrier contract(s), if service is contracted out in part or in total.
3. A copy of your ADA complementary paratransit "Operator Manual" (or copies if each carrier uses their own), and copies of your "Rider Handbook," service brochure, or other document that explains how trips are requested and service is provided.
4. A description of ADA complementary paratransit service standards, including:
 - The on-time performance standards (how is "on-time" defined and what is the goal for their percentage of trips provided within the standard?).
 - What standards have been set regarding acceptable numbers or percentages of trip denials?
 - The travel time standard (what travel time is considered comparable or too long and what is the goal for the percentage of trips provided within this standard?).
5. Telephone call-handling standards (what is the standard for hold time and/or call pickup and what is the goal for their percentage of calls within this standard?).
6. Samples of driver manifests as identified in Item 1 of Enclosure 2 in this correspondence and samples of records or reports or tabulations of the information requested in Item 2 of Enclosure 2.
7. Capital and operating budget and expenditures for ADA complementary paratransit services for the three most recent fiscal years, including the current year.
8. The number of ADA complementary paratransit trips served and trips denied for the three most recent fiscal years, including the current year.
9. Three copies of the system map for fixed route services.

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

1. Copies of completed driver manifests for the most recent six-month period (for each carrier).
2. The following ADA complementary paratransit data, by month, for the last six months (paper copies as well as in electronic format, if available):
 - Trips requested
 - Trips scheduled
 - Trips denied
 - Canceled trips
 - No-shows
 - Missed trips
 - Trips provided
 - A breakdown of trips requested, scheduled, and provided by carrier / provider.
 - A listing of trips denied each month showing customer's name, origin, requested destination, day and time, and if the person was ambulatory or uses a wheelchair.
 - On-time performance information (by carrier if there are multiple carriers in the system).
 - List of trips that exceeded 60 minutes showing the customer name, origin, destination, day and time, if the person was ambulatory or uses a wheelchair; and the total time on-board.
 - List of passenger no-shows and carrier missed trips with negotiated pickup times and actual vehicle arrival and departure times
 - Telephone call management records (if available) showing hold times by hourly or half-hourly periods and day, total call volume, calls answered and abandoned.
3. A list of complaints related to ADA complementary paratransit capacity constraints in the past year. The list should include all complaints related to trip denials, trip limits, on-time performance, lengthy trips, phone capacity issues, etc. showing customer's name, trip origin, date and type of complaint, carrier, and resolution (any corrective actions requested and taken).
4. The following eligibility information:
 - Copy of application form
 - Eligibility guidelines and any assessment or interview forms
 - Samples of all letters of determination
 - Other letters related to incomplete applications, appeals, and other eligibility issues
 - Total number of individuals registered for ADA complementary paratransit service
 - Most recent 12 months of data:
 - Applications received
 - Completed applications
 - Unconditional eligibility
 - Conditional eligibility
 - Temporary eligibility
 - Not eligible

- Any documentation and correspondence related to no-show suspensions
 - Access to eligibility files and appeals records
5. Work shift assignments for reservationists (call-takers), schedulers, and dispatchers
 6. Access to personnel records showing date of hire and termination for reservationists (call-takers), schedulers, dispatchers, drivers, and road supervisors
 7. Current paratransit fleet roster with vehicle type, accessible spaces, model year, and odometer reading.
 8. Access to most recent six months of daily vehicle pull-out records showing late pull-outs and closed runs.
 9. Vehicle availability reports for most recent six months.
 10. Copies of vehicle pre-trip inspection form and preventative maintenance form.
 11. Assistance with viewing and capturing parameters used in scheduling software.
 12. Assistance with viewing and collecting data on vehicle run structures and peak pull-out requirements.

Attachment C
On-Site Review Schedule

ADA Complementary Paratransit Compliance Assessment
Denver Regional Transit District (RTD)
August 31 – September 4, 2009

SCHEDULE, PAGE 1

Time	Activity	Who	Where
Monday, August 31, 2009			
9:00 AM	Opening conference	FTA; RTD staff; All assessment team members	1560 Broadway
9:30 AM	Review paratransit service design, policies, standards, service statistics, and other information sent in advance.	All assessment team members; RTD Paratransit Manager and other appropriate staff	1560 Broadway
10:30 AM	Paratransit planning and budgeting; Review recent operating and capital budgets and the process used each year to develop the budgets	Russell Thatcher and Tom Procopio; RTD Budget Manager, Paratransit Manager and other appropriate staff	1560 Broadway
10:30 AM	Review customer comment process; Review complaints by type for the past year; Review responses to complaints.	Jim Purdy; RTD staff that coordinate paratransit complaint process.	1560 Broadway
1:00 PM	Tour paratransit call center	All assessment team members RTD Paratransit Manager; First Transit Call Center Manager	1560 Broadway
1:30 PM	Review phone system design; Review phone performance (ACD) reports; Review call center staffing levels, training, and turnover.	Russell Thatcher; First Transit Call Center Manager	1560 Broadway
1:30 to 5:00 PM	Observe trip reservations process (using phone splitters if possible)	All assessment team members (Tom Procopio and Jim Purdy from 1:30-5, Russ Thatcher from 3-5); First Transit reservationists	1560 Broadway
Tuesday, September 1, 2009			
8:00 AM	Observe reservations process (using phone splitters if possible)	All assessment team members; First Transit reservationists	1560 Broadway
10:30 AM	Meet with Lead Scheduler; Discuss scheduling procedures, run structure; system parameters. Generate special reports as needed on long trips, travel times, no-shows, and on-time arrivals.	All assessment team members; First Transit Lead Scheduler and IT/Data Specialist as needed.	1560 Broadway
1:00 PM	Review eligibility determination process and records; review no-show and service suspension records; Begin review of 30 recent determinations	Russell Thatcher; RTD eligibility coordinator	1560 Broadway
1:00 PM	Identify sample of long trips. Begin analysis of paratransit versus fixed route travel times	Tom Procopio; First Transit schedulers and IT/Data Specialist as needed.	1560 Broadway
1:00 AM	Begin review of on-time performance, no-shows and missed trips	Jim Purdy; First Transit IT/Data Specialist as needed.	1560 Broadway
3-5:00 PM	Observe “Where’s My Ride (WMR)?” calls and dispatch process (using phone splitters if possible)	All assessment team members; First Transit dispatchers and WMR? Call-takers.	1560 Broadway

ADA Complementary Paratransit Compliance Assessment
Denver Regional Transit District (RTD)
August 31 – September 4, 2009
SCHEDULE, PAGE 2

Time	Activity	Who	Where
Wednesday, September 2, 2009			
8:00 AM	Review MV driver workforce, driver training, and driver turnover. Examine run pullout records. Examine daily fleet availability records. Interview drivers.	All assessment team members; MV On-Site Manager, Pullout Supervisor, Maintenance Manager, drivers as they complete shifts	30 S. Raritan St.
1:00 PM	Tour Easter Seals eligibility determination center. Continue reviewing 30 sample determinations.	Russell Thatcher; RTD eligibility Coordinator; Easter Seals Eligibility Project Manager	5755 W. Alameda Ave.
1:00 PM	Continue on-time performance analysis; No-show analysis	Tom Procopio; RTD IT/Data Specialist as needed	1560 Broadway
1:00 PM	Continue travel time analysis (with fixed route customer service staff as needed)	Jim Purdy; RTD fixed route trip planning staff as needed.	1560 Broadway
3-5:00 PM	Additional “Where’s My Ride?” and dispatch Observations; Additional Special Reports and analysis as needed	All Assessment Team members First Transit dispatchers, WMR agents, and IT/Data Specialist as needed	1560 Broadway
Thursday, September 3, 2009			
8:00 AM	Review Global driver workforce, driver training, and driver turnover. Examine run pullout records. Examine daily fleet availability records. Interview drivers.	Russell Thatcher; Global On-Site Manager, Pullout Supervisor, Maintenance Manager, drivers as they complete shifts	4915 York St.
9:00 AM	Review Special Transit driver workforce, driver training, and driver turnover. Examine run pullout records. Examine daily fleet availability records. Interview drivers.	Tom Procopio, Jim Purdy; Special Transit On-Site Manager, Pullout Supervisor, Maintenance Manager, drivers as they complete shifts	4880 Pearl St., Boulder
11:00	Interview Special Transit drivers	Tom Procopio, Jim Purdy; Special Transit manager and drivers	6500 Franklin St., Denver
11:00 AM	Review Coach USA driver workforce, driver training, and driver turnover. Examine run pullout records. Examine daily fleet availability records. Interview drivers.	Russell Thatcher; Coach USA On-Site Manager, Pullout Supervisor, Maintenance Manager, drivers as they complete shifts	3991 E. 53 rd Ave.
3-5:00 PM	Additional Call Center observations. Complete on-time, no-show, missed trip and travel time analysis	All assessment team members; RTD staff as needed	1560 Broadway
Friday, September 4, 2009			
8:00 AM	Additional analysis as needed; Tabulate and analyze data	All assessment team members; Various RTD staff as needed.	1560 Broadway
2:00 PM	Exit Conference	FTA, RTD staff, All assessment team members	1600 Blake Street

Attachment D
**Maps of access-a-Ride Trips in the 16th Street Shuttle
Corridor**

Figure 5.1: Sample Routes

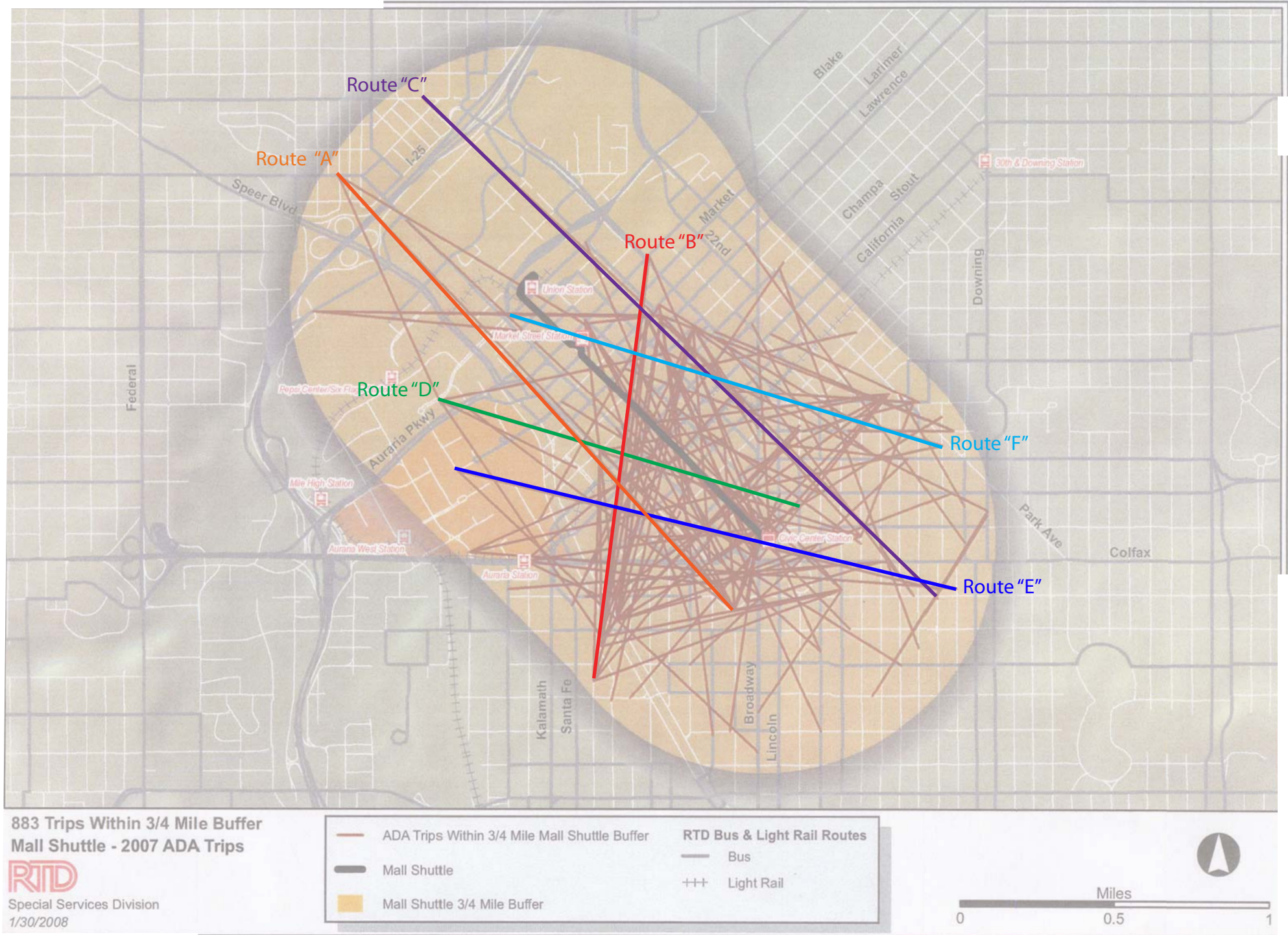


Figure 5.2: Sample Route "A"

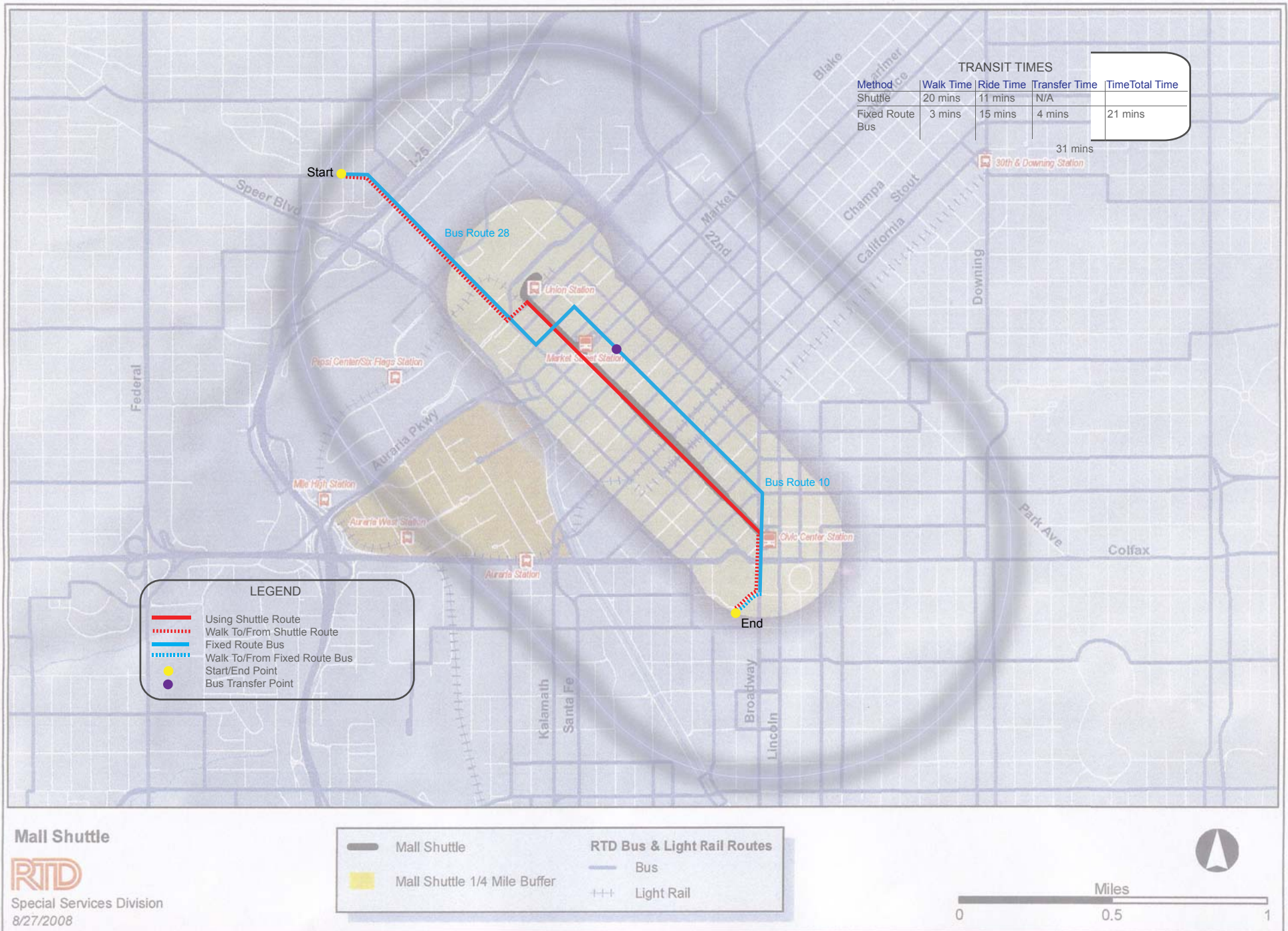


Figure 5.4: Sample Route "C"

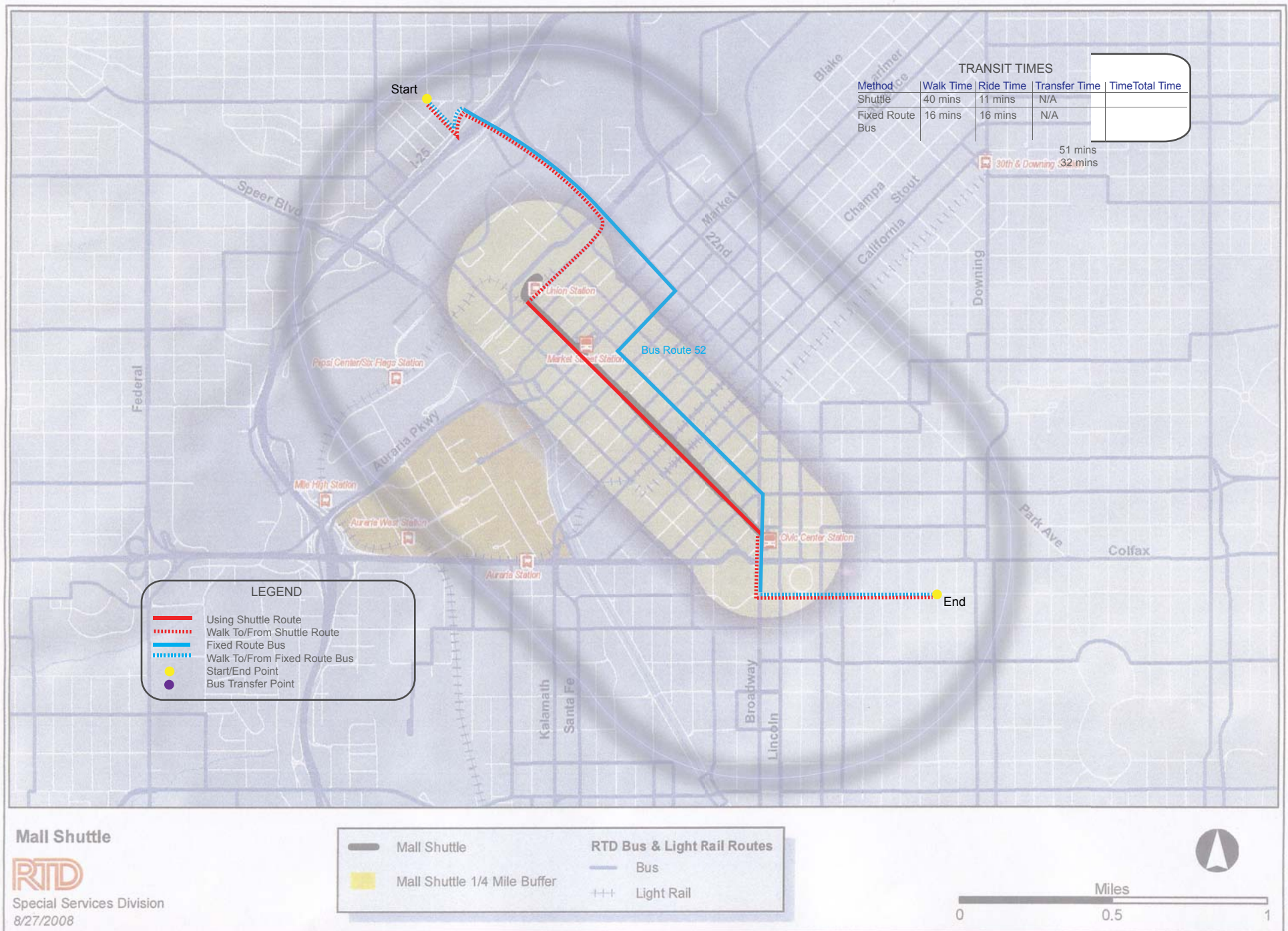


Figure 5.5: Sample Route "D"

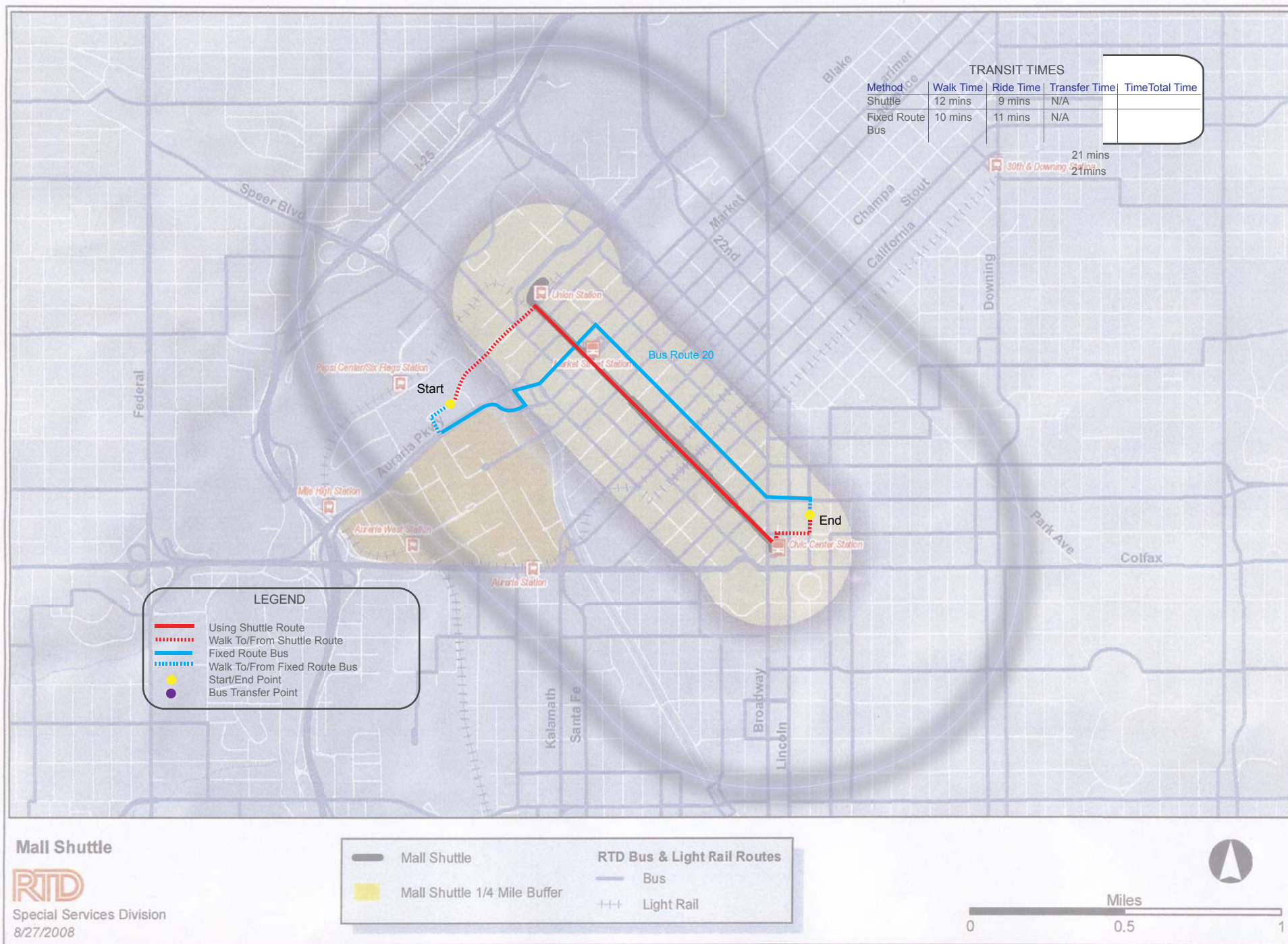


Figure 5.6: Sample Route "E"

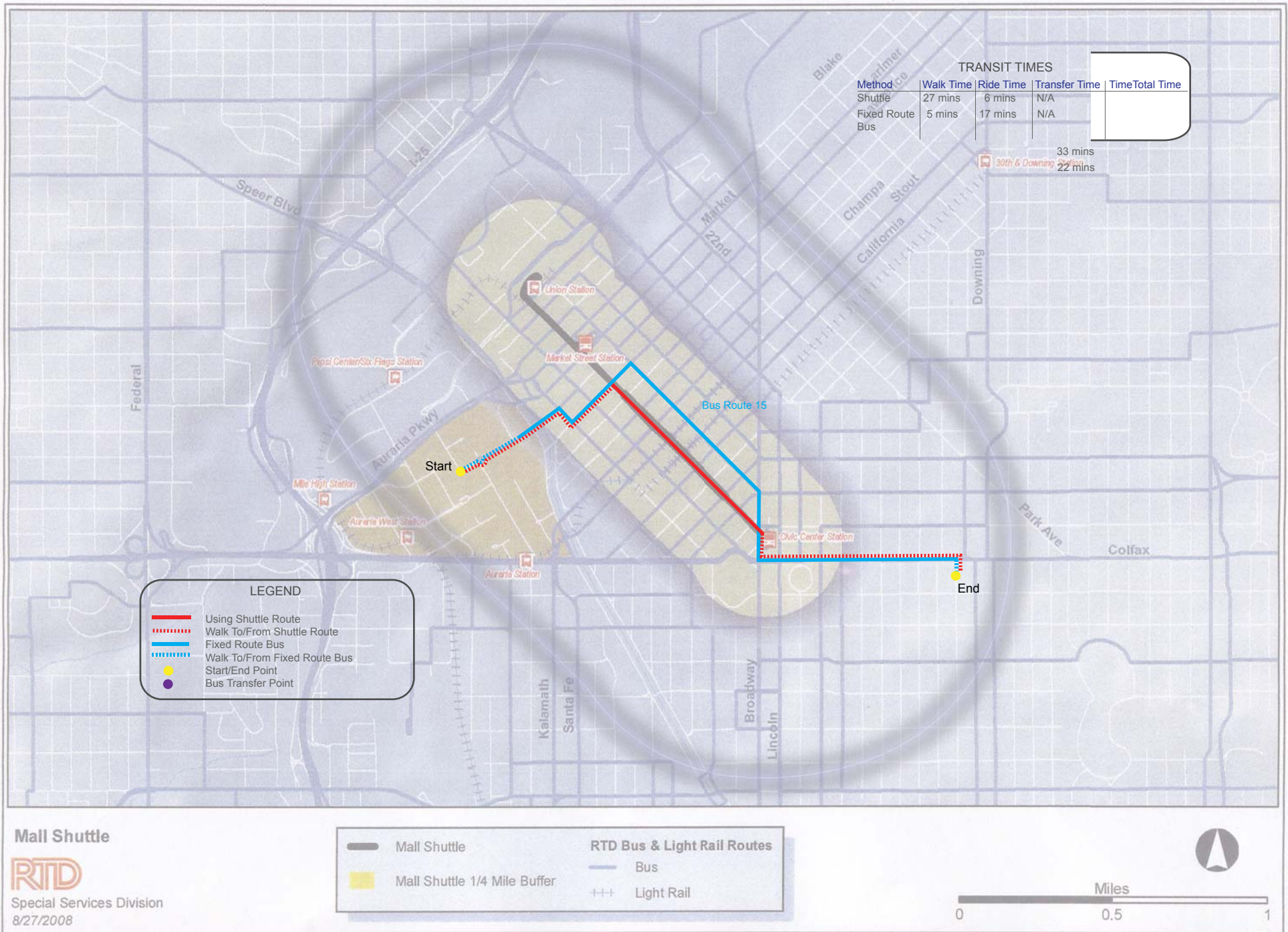
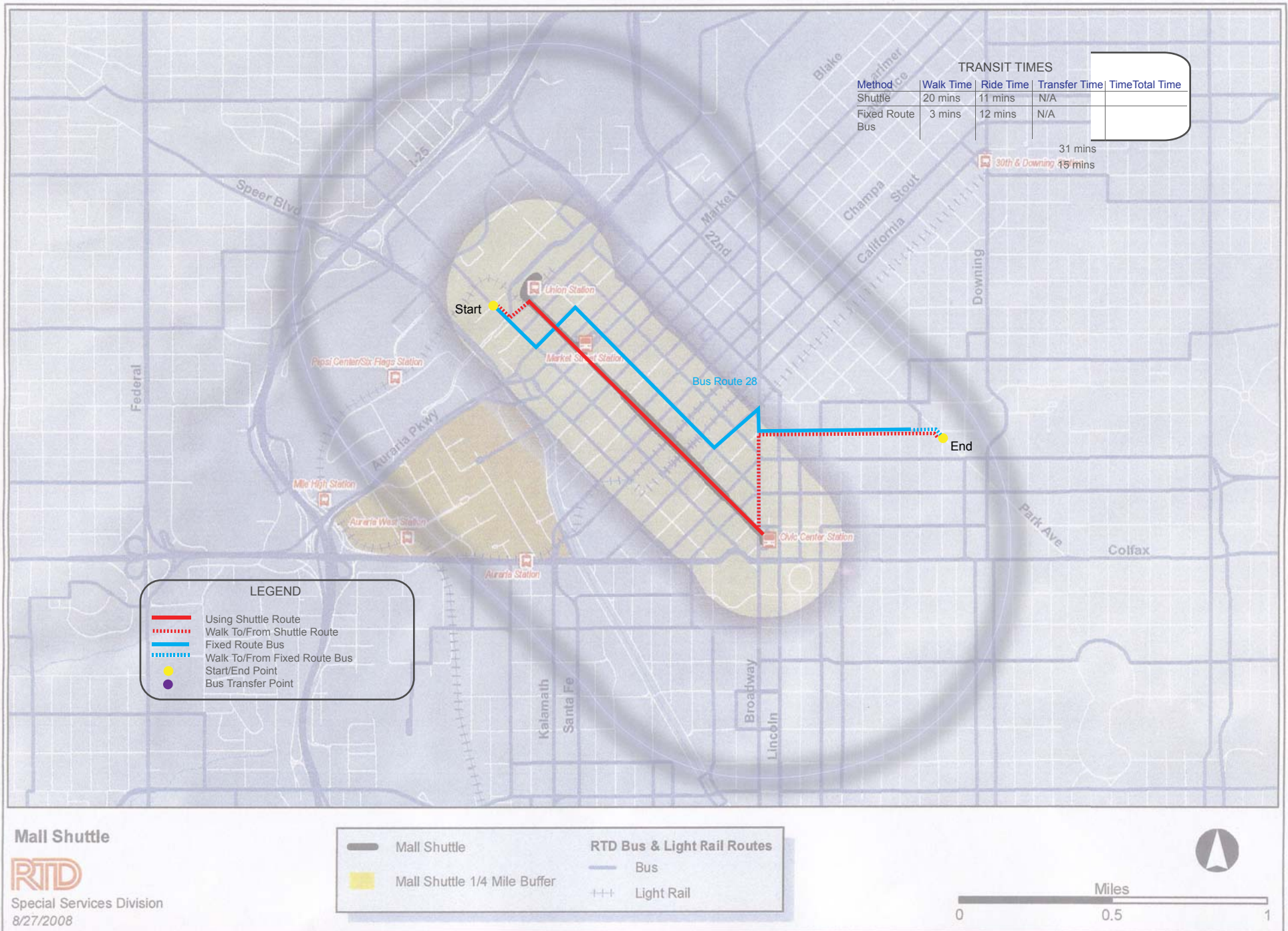


Figure 5.7: Sample Route "F"



Attachment E
**Rider's Guide Excerpts (Types of Conditional
Eligibility)**

"Any individual with a disability who has a specific impairment-related condition which prevents such individual from traveling to a boarding location or from a disembarking location on such system." [Section 37.123 (e) (3) of the ADA regulations]. This applies to an individual who, because of his/her disability, cannot access a bus stop or a rail station to board the fixed route bus system and cannot access his/her final destination after disembarking from a fixed route bus or train. Eligibility is determined each time the eligible customer calls. Two important qualifiers to this category are included in the regulations. First, environmental conditions and architectural barriers not under the control of the public entity do not, when considered alone, confer eligibility. Inconvenience in using the fixed route bus system is not a basis for eligibility.

Types of Eligibility Status

Based on individual needs, applicants may qualify for any of the following types of eligibility:

Unrestricted – Full service for up to four (4) years.

Conditional – Any conditions applied to service is done so on an individual basis depending on the needs of the passenger. The various conditions used are as follows:

Temperature Sensitive- If, as part of the eligibility process, it has been determined that a customer may only use ***access-a-Ride*** services during extreme weather conditions, then **Temperature Sensitive** Condition shall be applied. Based on the specific temperature range you were given during your eligibility process you may use ***access-a-Ride*** only when the outside temperature falls within the range. For example:

Mary's disability makes it impossible for her to tolerate extreme heat. She has been granted ***access-a-Ride*** services anytime the outside temperature exceeds 90 degrees. The day before she needs to use ***access-a-Ride***, she must call reservations and schedule her trip. The ***access-a-Ride*** call center will use weather reports from www.weather.gov to verify the weather condition for the day that Mary needs a ride. **Passengers with "Temperature Sensitive condition may only schedule one (1) day in advance.**

Dawn to Dusk- Service will be available after sunrise and up until sunset.

Dusk to Dawn- Service will be available after sunset and up until sunrise of the following day.

Snow- If snow accumulation is the only factor that prevents a customer from getting to and from a bus stop, we will offer you ***access-a-Ride*** service on the day it snows and for seven (7) days that follow. The ***access-a-Ride*** call center will use weather reports from www.weather.gov to verify that there is at least a 30% chance that it will snow on the day you need a ride. **Passengers with "Snow" condition must call one (1) day in advance for all trip requests.**

Rain- If the possibility of rain causing damage to your power chair is the issue affecting you getting to and from a bus stop, we will offer you ***access-a-Ride*** during rain. The ***access-a-Ride*** call center will use weather reports from www.weather.gov to verify that there is at least a 30% chance that it will rain on the day you need a ride. **Passengers with "Rain" condition must call one (1) day in advance for all trip requests, and may only request trips for up to one (1) day in advance.**

Unfamiliar Trips- An assessment will be made as to whether or not the applicant can be travel trained for a particular location. If the location is travel trainable, then this condition will allow them to use ***access-a-Ride*** for up to four (4) occasions to the same location within a six (6) month period. We monitor the number of trips our passengers make to a specific location and after the fourth (4th) trip to the same address, the trip will no longer be provided. If the customer feels that they still require ***access-a-Ride*** services to a particular location, beyond the fourth (4th) trip, they may call the ***access-a-Ride*** administration department for an updated evaluation via telephone. If it is determined that the specific trip in question cannot be taught by means of travel training, then the customer would continue to receive service to and from that location under the "Trip Specific" condition.

Fatigue- These passengers are allowed to use ***access-a-Ride*** services when their fatigue limits their ability to use the fixed route system. **Passengers with "Fatigue" condition must call one (1) day in advance for all trip requests.**

Temporary Disabilities

Temporary eligibility is provided to passengers who have a temporary disability/illness that prevents them from using the RTD bus system. Eligibility may be provided for the expected duration of the disability.

Service for Visitors

Visitors to the RTD area can use ***access-a-Ride*** for up to 21 calendar days a year by providing documentation that they have a health condition or disability which

Attachment F
Attachment to Conditional Eligibility Letter

TYPES OF ELIGIBILITY STATUS

Temperature Plus (+) If the temperature is greater than a certain temperature, customer may use access-a-Ride. (Trip requests must be made no more than one (1) day in advance) **Customers with “Temperature +” condition must call one (1) day in advance for all trip requests.**

Temperature Negative (-) If the temperature is less than a certain temperature, customer may use access-a-Ride. (Trip requests must be made no more than one (1) day in advance) **Customers with “Temperature -” condition must call one (1) day in advance for all trip requests.**

Dusk to Dawn Service will be available after sunset and before sunrise.

Snow and Ice If the snow or ice accumulations prevent customers from getting to and from a bus stop we will offer them ***access-a-Ride*** service. In addition, service will be offered for seven (7) days after a snowstorm. **Customers with “Snow and Ice” condition must call one (1) day in advance for all trip requests.**

Unfamiliar Trips An assessment will be made as to whether or not the applicant can be travel trained for a particular location. If the location is travel trainable, then this condition will allow them to use ***access-a-Ride*** for up to four (4) occasions to the same location. We monitor the number of trips our customers make to a specific location and after the forth (4th) trip to the same address, the trip will no longer be provided. If the customer feels that they still require ***access-a-Ride*** services to a particular location, beyond the fourth (4th) trip, they may call the ***access-a-Ride*** administration department for an updated evaluation via telephone. If it is determined that the specific trip in question cannot be taught by means of travel training, then the customer would continue to receive service to and from that location under the “Trip Specific” condition.

Trip Specific Some customers will be able to use ***access-a-Ride*** services for pre-determined locations. Examples are: Dialysis, Work only, etc.

Fatigue These customers are restricted to those occasions where their fatigue limits their ability to use the fixed route system. Used primarily for dialysis customers.

Rain Trips may be scheduled if there is at least a 30% chance of rain. **Customers with “Rain” condition must call one (1) day in advance for all trip requests.**

Attachment G
Appeal Hearing Guidelines

APPEAL HEARING GUIDELINES

As a member of the Eligibility Review Committee (Appeals Committee), you are a representative of The Regional Transportation District. It is critical that in this role you do not place RTD in a position of non-compliance with the ADA law or set dangerous precedents.

“Paratransit is a complementary system, so by its very nature it was not intended to be the primary means of transportation for people with disabilities across the nation. With the current rate of paratransit use well beyond its intended capacity, the very paratransit services so vital for the independence of some individuals will soon be in grave danger. In many communities across the country, transportation authorities have reached the point where the demand for paratransit services has far outstripped available resources, threatening that breakdown is imminent.

Integration, Independence and Integrity. That’s what it’s all about.”¹

Individuals who are ADA paratransit eligible are defined as: “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.”²

We must look at each individual in terms of their overall ability. There are only three eligibility categories to consider as far as certification for service is concerned. They are listed at the bottom of the ballot sheet for each hearing, but to reiterate they are:

CATEGORY 1: A person is unable to understand how to complete the bus trips.

This category includes, among others, persons with mental or visual impairments who, as a result, cannot “navigate the system.” This category includes people who cannot, board, ride, or disembark from an accessible vehicle “without the assistance of another individual.” This means that, if an individual needs an attendant to board, ride or disembark from an accessible fixed-route vehicles (including “navigating the System”), the individual is eligible for paratransit. One implication of this language is that an individual does not lose paratransit eligibility based on “inability to navigate the system” because the individual chooses to travel with a friend on the paratransit system (even if the friend could help the person navigate the fixed route system). Eligibility in this category is based on ability to board, ride, and disembark **independently**.²

¹ ADA...The Bus Stops Here. A Project ACTION National Consumer Training Project.

² U.S. Department of Transportation, Part 37 Regulations, Transportation Services for Individuals with Disabilities (ADA)

^{2 3} U.S. Department of Transportation, Part 37 Regulations, Transportation Services for Individuals with Disabilities (ADA)

CATEGORY 2: A person requires a lift-equipped bus, and the bus they need does not have a lift.

All vehicles in our system are lift-equipped, therefore, this category is not applicable in the Denver metro area.

CATEGORY 3: A person is unable to independently get to and from a bus stop or cannot get on and off the bus.

“This criterion concerns individuals who have a specific impairment-related condition which prevents them from getting to or from a stop or station. This is intended to be a “very narrow exception” to the general rule that difficulty in traveling to or from boarding or disembarking locations is not a basis for eligibility.”² In other words, the whole route from a person’s home to a bus stop cannot be considered, ONLY the bus stop area itself. For example, a person in a wheelchair or with a visual impairment might have major difficulties if a bus stop is rock or gravel.

“What is a specific impairment-related condition? The legislative history mentions for examples: chronic fatigue, blindness, a lack of cognitive ability to remember and follow directions, or a special sensitivity to temperature. Impaired mobility, severe communications disabilities (e.g., a combination of serious vision and hearing impairments), cardiopulmonary conditions, or various other serious health problems may have similar effects. The Department of Transportation does not believe that it is appropriate, or even possible to create an exhaustive list.”²

What the rule uses as an eligibility criterion is not just the existence of a specific impairment-related condition. To be a basis for eligibility, the condition must prevent the individual from traveling to a boarding location or from a disembarking location. The word “prevent” is very important. For anyone, going to a bus stop and waiting for a bus is more difficult and less comfortable than waiting for a vehicle at one’s home. This is likely to be all the more true for an individual with a disability. But for many persons with disabilities, in many circumstances, getting to a bus stop is possible. If an impairment-related condition only makes the job of accessing transit more difficult than it might otherwise be, but does not prevent the travel, then the person is not eligible.²

One important point to remember: If a person is unable to use the stairs to board the vehicle, they can ask for the driver to lower the lift for them.

^{2 4} U.S. Department of Transportation, Part 37 Regulations, Transportation Services for Individuals with Disabilities (ADA)

^{2 5} U.S. Department of Transportation, Part 37 Regulations, Transportation Services for Individuals with Disabilities (ADA)

^{2 6} U.S. Department of Transportation, Part 37 Regulations, Transportation Services for Individuals with Disabilities (ADA)

THE ROLE OF THE RTD APPEALS COMMITTEE IS:

- To support RTD and access-a-Ride
- To help RTD comply with the ADA transportation regulations
- To make objective decisions supportable by ADA regulations
- To provide a final quality control resource for customers
- To support the success of the eligibility determination system
- To understand the Appeals Committee's role
- To provide feedback to RTD and its contractors on the process and ways to improve it
- To suggest potential new members for the Committee who could contribute to RTD's success in providing service to customers with disabilities
- To operate committee meetings according to acceptable standards for participation and debate.

THE ROLE OF THE RTD APPEALS COMMITTEE IS NOT:

- To be in an adversarial role
- To encourage non-compliance
- To form private opinions that become agency precedents
- To question the professionalism of the contractor
- To undermine the effective of the eligibility system
- To offer advice and information not in the purview of the Committee
- To second-guess or make unsupported decisions
- To expect to serve on the committee forever
- To allow dominance, unsupported opinions, or disagreements to get in the way of good decision making

ASSESSMENTS TO DETERMINE ELIGIBILITY

Each and every client participates in a certification process, which consists of a functional and/or cognitive assessment and a personal interview in order to determine their eligibility. You will use the documents and scores to help you determine your decision.

The Functional Assessment identifies the applicants' abilities as far as utilizing the fixed-route system. It consists of a pathway with sections of dirt, gravel and grass; one section is tilted in order to assess balance. It includes a bus lift, bus steps, a curb, a curbcut, and also involves a walk of 44 feet (the equivalent of four traffic lanes), which should be completed within 30 seconds. The clients are scored according to their performance on each task, their gait is studied and scored, and a total score of 15 out of 23 points is considered as "passing". All clients, wheelchair bound and ambulatory alike, are required to participate in this assessment.

The Cognitive Assessment is given only to those clients for whom it is deemed necessary by the certification staff. The test consists of a series of scenarios and situations simulating a bus trip on a computer. The client is asked specific questions and scored on their responses and whether they need to be cued for responses. Sign, bus and landmark recognition, personal safety, traffic safety, safe areas, stranger awareness, judgment ability are all assessed. The client must also demonstrate the ability to keep track of the accompanying clock. The total score possible is 77 points, and a score of 54 or above is considered "passing". "Passing" is indicative that the client is probably capable of learning to use the fixed-route system. Training to use the system is an option for clients who pass this assessment; however, certification cannot be given solely for that purpose.

All clients are asked to participate in a personal interview which helps to further establish their abilities by asking questions about weather tolerance, distances they feel that are capable of walking, standing, whether or not they currently use fixed-route service.

Each application also includes a Physician's Statement form, which queries the physician about the permanence of the disability, walking distance, sitting or standing ability and times, whether the person can understand written or oral directions, and whether or not they can learn bus routes and how many. This document, while very helpful, is the least significant piece of documentation, simply because a physician may not know more than what the client tells him regarding these abilities.

NOW, THE REAL DIFFICULTY BEGINS . . .

You have to "get to the bottom" of all this information with which you've been buried, and make a fair, rational determination of eligibility – a very difficult task at best.

You've studied and studied (haven't you) a ton of files, and now you're face-to-face with that darling, sweet little ole lady, who just wants to go get her hair done once a week. Oh! That

tremulous smile, those big eyes, and that tear rolling down the cheek! FORGET IT! LOOK AT THE PERSON IN TERMS OF OVERALL ABILITY. Gear your questions to pertain to that ability. "Can you walk to the bus stop from your home?" "Can you stand for 15 minutes or more?" "Can you understand how to use fixed-route service?" Of course, a person's answer can lead to further questions in order to clarify the information further. However, there are areas that we are not allowed to consider for certification eligibility, and these are tough ones, because we are all caring human beings and these areas are so difficult not to consider:

AGE: Age in and of itself is not considered a disability; products of aging can be looked at, of course, but they must be looked at under the auspices of acceptable certification criteria.

SAFETY: This is so heart wrenching, but we cannot make a determination based on a person's safety in the community as it applies to transportation. There is no category in the process to cover safety. A point to clarify, though, is a person's inability to recognize a dangerous or hazardous situation or condition due to their cognitive disability. This can be looked at totally differently than a person with epilepsy who is afraid of experiencing a seizure at the bus stop or on the bus. The seizure, while presenting a physical safety issue, does not interfere with their innate ability to use fixed-route service.

You can ask a person whether they use or have used fixed-route service, but you cannot base your decision on just that answer. You can ask what access-a-Ride would be used for and how often, but you cannot base your decision on that answer. You can discuss options for training with a client, but we cannot force training. You need to watch carefully for overprotective parents and caregivers; they greatly inhibit a client's independence. You can take into consideration that a person often has good days and bad days; maybe the assessment (or appeal hearing) occurred on a really good or bad day.

You are probably asking "What can I base a decision on?" THE answer: The categories on the ballot sheet (as detailed above). These decisions can't be based on who you think might be more deserving, on your gut feeling, on empathy, etc. When you make a decision, you should be able to cite the proper regulation and how you reached your decision.

The one aspect that we have to completely adhere to is that all clients are to be asked the same fundamental questions. If their answers lead to further questions for clarification, then by all means ask, but initially all must face the same standard questions: (I'm listing these on a separate page for your convenience in referencing.)

1. Have you ever ridden an RTD bus?
2. What do you believe prevents you from being able to do so?
3. How far is the nearest bus stop to your home and how far do you feel you are able to walk?
4. Do weather conditions or temperatures interfere with your ability to use fixed-route service?
5. At a bus stop served by more than one route, are you able to distinguish the correct bus to board and indicate your intention to board?

Prepared by Carol Coe, 2-10-03

Attachment H
Proposed No-Show Suspension Letter



access-a-Ride

Our mission:

To meet our constituents' present and future public transit needs by offering safe, clean, reliable, courteous, accessible and cost-effective service throughout the District.

June 30, 2009

Dear Mr. [REDACTED]

RTD's Paratransit Service, access-a-Ride, is a public shared ride service. As I am sure you can appreciate, the access-a-Ride program is an extremely complicated service to provide, as we strive to accommodate over 2800 trips on a daily basis. As such, we greatly depend on our clients to adhere to our rules and policies whenever using our services. Realizing the imposition that a suspension places on our customers, each case is treated individually and with the utmost professionalism, and, keeping in mind that all of our client's safety is a priority while using access-a-Ride.

It has recently been brought to our attention that you have failed to comply with our No Show Policy on the following dates:

1. 6/4/09
2. 6/19/09
3. 6/20/09

According to the access-a-Ride policy, your service will be suspended for two weeks beginning 7/24/09 through 8/7/09.

Please be advised that you have the right to appeal this decision within 21 days of receiving this letter. Please refer to the attached Appeals Form for further direction.

Thank you for your immediate attention to this matter.

Sincerely,
RTD access-a-Ride Department

Regional Transportation District
access-a-Ride

APPEALS PROCESS

IMPORTANT ! YOUR ACCESS-A-RIDE SERVICE WILL BE SUSPENDED FOR THE PERIOD INDICATED ON THE ATTACHED LETTER UNLESS THE FOLLOWING STEPS ARE FOLLOWED IN THE ORDER LISTED BELOW.

STEP #1

Send your appeal explaining the circumstances for each violation listed in the attached letter to the **Manager of Paratransit Services**. Your letter must be received by RTD before the start date of the suspension period printed on the attached letter.

STEP #2

If the suspension is upheld, your documentation is automatically forwarded to the Senior Manager of Contracted Services for a second review. You will be notified in writing of the decision.

STEP #3

If the Senior Manager of Contracted Services upholds the decision, your documentation will be forwarded to an Appeals Committee, where you will have an opportunity to make your case in person. You will be notified in writing of the location, date and time of the Appeal Hearing.

Please send all correspondence to:

**Regional Transportation District
1600 Blake Street - ADA
Denver, CO 80202
ATTN: Customer Services**

ALTERNATIVE FORMAT AVAILABLE UPON REQUEST

Attachment I
Results of TCRP Demand Estimation

[illegible]

TCRP Project B-28 Estimation Tool for ADA Complementary Paratransit Demand		
	Input Values	
ADA service area population (2000 Census)	2,619,000	
Base fare for ADA paratransit (Dollars)	\$4.00	
Percent of applicants for ADA paratransit eligibility found conditionally eligible	6.0	
Conditional trip screening	0	
Percent of the population in the ADA service area in households with 1999-2000 income below the poverty line	12.4	
Effective on-time window for ADA paratransit (minutes)	30	
	Results	
Predicted Annual Ridership per Capita	0.38	
Predicted Annual Ridership	994,333	
Confidence Intervals for Mean Value for Systems with the Characteristics Entered		
	Trips per Capita	Annual Ridership
Upper 95% confidence limit	0.70	1,827,042
Upper 90% confidence limit	0.63	1,645,510
Lower 90% confidence limit	0.23	600,846
Lower 95% confidence limit	0.21	541,147