



# **Regional Transportation Commission of Southern Nevada**

**ADA Paratransit Compliance Review**

**Final Report**

**April 2018**



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

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- A FTA Notification Letter to RTC
- B RTC Response Letter to Draft Report
- C RTC Riders' Guide

## Executive Summary

### Objective and Methodology

This report reviews the complementary paratransit service of the Regional Transportation Commission of Southern Nevada (RTC) in Clark County, NV. It verifies whether this service is meeting RTC's obligations under the Americans with Disabilities Act (ADA) requirements to provide paratransit as a complement to fixed route service.

This compliance review included three stages:

1. Preparation: compilation of information covering policies and procedures and interviews with eligible RTC paratransit riders and local disability organizations
2. Site visit: a three-person review team's observation of RTC's paratransit trip requests including scheduling and dispatching, examination of eligibility applications and related documents (including appeals), and interviews with RTC and contractor employees
3. Analysis and reporting: identification of deficiencies requiring corrective actions and suggestions of effective practices in complementary paratransit service

RTC's complementary paratransit service includes the following positive program elements:

#### Positive Program Elements

- RTC has an award-winning mobility training center for use in eligibility assessments
- Driver and customer care agent training is well managed
- Complaint resolution is comprehensive and well documented

The following administrative deficiencies are easily correctable to bring its program into compliance with 49 CFR Parts 27, 37 and 38:

#### Administrative Deficiencies

- Eligibility appeal hearings are not scheduled promptly and appeal decisions do not adequately explain the basis for decisions.
- The appeal process for no-show suspensions does not follow the § 37.125(g) requirements.
- The visitor eligibility process is burdensome for visitors with eligibility from another transit agency and requirements for visitors with apparent disabilities are incorrect.

The following substantive deficiencies need to be addressed to bring its program into compliance with 49 CFR Parts 27, 37 and 38:

#### Substantive Deficiencies

- Eligibility functional assessments regarding applicants' walking abilities are not reflective of applicants' differing abilities.
- Some eligibility limitations do not account for the lack of sidewalks or curb ramps for applicants that use powered wheelchairs.
- Telephone hold times during certain times of the day are excessively long.

Please see Section 6 for a discussion of all 15 deficiencies. The Summary Table of Compliance Review Findings (following Section 6) lists all findings. Unless otherwise stated, RTC must address all deficiencies within 60 days of receipt of this report.

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## 1 General Information

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

<b>Grant Recipient:</b>	Regional Transportation Commission of Southern Nevada (RTC)
<b>City/State:</b>	Las Vegas, Nevada
<b>Grantee Number:</b>	90045
<b>Executive Official:</b>	Tina Quigley, General Manager
<b>On-site Liaison:</b>	Sherwin Gutierrez, Manager Finance
<b>Report Prepared By:</b>	the Collaborative, Inc.
<b>Dates of On-Site Visit:</b>	November 13–16, 2017
<b>Review Team Members:</b>	Bill Schwartz, the Collaborative, Inc. David Chia, the Collaborative, Inc. Russell Thatcher, Thatcher Consulting LLC

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## **2 Jurisdiction and Authorities**

Public entities that operate fixed route transportation services for the general public are required by the U.S. Department of Transportation (DOT) regulations implementing the Americans with Disabilities Act of 1990 (ADA) to provide 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, 38, and 39) include eligibility requirements and service criteria that must be met by ADA complementary paratransit service programs. Section 37.135(d) of the regulations required that ADA complementary paratransit service met 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.

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## **3 Purpose and Objectives**

This chapter discusses the purpose and objectives of an FTA ADA complementary paratransit compliance review and the review process.

### **3.1 Purpose**

Pursuant to 49 CFR §§ 27.19 and 27.123, as part of its oversight efforts, the FTA, through its Office of Civil Rights, conducts periodic reviews of fixed route transit and ADA complementary paratransit services operated by its grantees. Compliance with all applicable requirements of the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. 12101–12213) including the DOT’s ADA regulations is a condition of eligibility for receiving Federal financial assistance.

### **3.2 Objectives**

The primary objective of this paratransit review is to verify whether a public operator of a fixed route transit system that benefits from FTA funding is meeting its obligations under the ADA to provide paratransit as a complement to its fixed route service. This review examines the policies, procedures and operations of RTC service concerning service provision, including origin to destination service; eligibility, including the process used to determine who is eligible for the service; receiving and resolving complaints; and meeting the ADA complementary paratransit service criteria as specified in 49 CFR § 37.131.

The review team observed dispatch, reservations and scheduling operations and independently analyzed service statistics, basic service records, and operating documents. FTA solicited comments from eligible riders and from local disability organizations.

This report will summarize findings and advisory comments. Findings of deficiency require corrective action and/or additional reporting. Advisory comments are statements detailing recommended or suggested changes to policy or practice to ensure effective practices under the ADA.

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## 4 Introduction to RTC

The Regional Transportation Commission of Southern Nevada (RTC) oversees public transportation, traffic management, roadway design and construction funding, transportation planning, and regional planning efforts in Clark County, NV. RTC's administrative offices are located at 600 S. Grand Central Parkway, Las Vegas. RTC has an eight-member board of commissioners that includes two Clark County Commissioners, two members from the City of Las Vegas, and one member each from Henderson, North Las Vegas, Mesquite, and Boulder City.

RTC transit funding comes from state funds, rider fares, and Federal assistance.

RTC's fixed route service consists of 39 local and express bus routes. In FY 2017, RTC's fixed route ridership was 64 million passenger trips. RTC contracts with Transdev to provide daily operations.



For more information on RTC services, go to [www.rtcnv.com/transit/](http://www.rtcnv.com/transit/)

### 4.1 Complementary Paratransit Services and Organizational Structure

RTC provided approximately 1.3 million complementary paratransit trips in Fiscal Year (FY) 2017. Table 4.1 presents ridership statistics for 2013–2017 as well as the percent change in ridership from the prior FY.

**Table 4.1 – RTC Paratransit Ridership**

Fiscal Year	Trips	Annual Change
2013	1,169,007	--
2014	1,158,412	-0.91%
2015	1,229,057	6.10%
2016	1,272,937	3.57%
2017	1,303,859	2.42%

RTC owns the paratransit vehicle fleet. At the time of the review team's site visit, the fully accessible fleet consisted of 333 vehicles (318 cutaway small buses and 15 MV-1 minivans). The 24 oldest vehicles were model year 2012 (including all MV-1 minivans). All other vehicles were model year 2014 or newer.

RTC paratransit staff work at the Mobility Training Center (MTC) and the adjacent Sunset Maintenance Facility (Sunset) at 5165 West Sunset Road, Las Vegas. RTC accepts trip requests and oversees customer service with in-house personnel. RTC also manages the eligibility process with contractor assistance.

Contractor operations (scheduling, dispatching, service delivery, and maintenance) takes place at RTC's Integrated Bus Maintenance Facility (IBMF) at 2751 Simmons, North Las Vegas. The contractor also handles same-day inquiries including "Where's my ride?" (WMR) calls and requests for same-day trips. One of the contractor's dispatchers is located at Sunset, where a portion of the paratransit vehicles park overnight and about a third of the vehicle runs begin.

## 5 Scope and Methodology

The purpose of this review is to provide FTA with a tool for determining whether a public operator of a fixed route system is in compliance with the complementary paratransit requirements under DOT ADA regulations. However, the deficiencies identified and findings made in this report are by necessity limited to the information available to and the observations made by the review team at the time of the site visit. A lack of findings in a particular review area does not constitute endorsement or approval of an entity's specific policies, procedures or operations; instead, it simply indicates that no deficiencies in the delivery of service were observed at the time of the site visit.

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

### 5.1 Scope

The review focused on whether the RTC complementary paratransit service operates according to the service criteria specified in 49 CFR § 37.131 of the DOT ADA regulations, and without capacity constraints prohibited under 49 CFR § 37.131(f). The review examined the paratransit service area, response time, fares, and hours and days of service, as well as RTC's policies, standards and procedures for monitoring service provision, including on-time performance, on-board travel time, telephone hold times, and avoiding trip denials and missed trips. The review seeks to ascertain whether service is being provided to eligible individuals within at least the minimum required service area on a next-day basis, during the same hours and days as the fixed route system, for not more than twice the fixed route fare for the same trip; whether there are patterns or practices that result in a substantial number of trip limits, trip denials, untimely pickups, and/or trips of excessive length; policies which cause riders to arrive late to appointments; or long telephone hold times, as defined by the transit agency's established standards (or typical practices if standards do not exist).

Overall, the complementary paratransit compliance review included the following regulatory requirements:

- Complaint resolution and compliance information (49 CFR §§ 27.13(b), 27.121(b), and 37.17)
- Nondiscrimination (49 CFR. § 37.5)
- Service under contract (49 CFR § 37.23)
- Requirement for comparable complementary paratransit service (49 CFR § 37.121)
- ADA paratransit eligibility: Standards (49 CFR § 37.123)
- ADA paratransit eligibility: Process (49 CFR § 37.125) including whether:
  - Information is made available in accessible formats upon request
  - A decision is made within 21 days or presumptive eligibility is granted pending a decision
  - There is written notification of all decisions
  - All denials or conditional eligibility determinations are completed in writing with specific reasons for the decision
  - There is an administrative appeals process for denials and conditional eligibility determinations
- Reasonable policies for suspending service to eligible riders who establish a pattern or practice of missing trips
- Complementary paratransit service for visitors (49 CFR § 37.127)
- Types of service (49 CFR § 37.129)

- Service criteria for complementary paratransit (49 CFR § 37.131) including:
  - Service area
  - Response time
  - Fares
  - Trip purpose restrictions
  - Hours and days of service
  - Capacity constraints
- Subscription service (49 CFR § 37.133)
- Training requirements (49 CFR § 37.173)

## 5.2 Methodology

FTA's Office of Civil Rights sent a notification letter on October 3, 2017, to RTC General Manager Tina Quigley requesting her to send information to the review team before the site visit. See Attachment A.

The review team spoke by telephone with RTC representatives to discuss the information request. Prior to the on-site visit, the review team examined the following service information:

- The structure of RTC complementary paratransit service
- Public information describing the complementary paratransit service
- RTC's standards and goals for on-time performance, trip denials, missed trips, complementary paratransit trip length, on-time performance, and telephone hold times

As requested by FTA, RTC made additional information available during the visit:

- Thirty-six months of service data, including the number of trips requested
- Records of consumer comments and complaints related to capacity issues, including trip denials, on-time performance, travel time, and telephone access
- Procedures for addressing rider complaints and other incident reports
- Complaint recordkeeping processes
- A fleet roster of paratransit vehicles
- A listing of complementary paratransit drivers and their start dates
- Operating budgets, capital spending plans, and cost data

The RTC complementary paratransit service site visit took place from November 13–16, 2017. The visit began with an opening conference, held at 9 a.m. on November 13 at MTC (5165 West Sunset Road, Las Vegas). Attending the conference were:

- M. J. Maynard, Deputy General Manager, RTC
- Dan Howland, Director of Paratransit & specialized Services, RTC
- Sherwin Gutierrez, Manager Finance, RTC
- Repelita Ramos, Senior Accountant RTC
- Tazmisha Jones, Manager Quality Assurance, RTC
- Kenneth Rodriguez, Customer Care Manager, RTC
- Lynette Little, Region 9 Civil Rights Officer, Office of Civil Rights, FTA (via telephone)
- John Day, Program Manager for Policy and Technical Assistance, FTA (via telephone)
- Bill Schwartz, Review Team Leader, the Collaborative, Inc.



- David Chia, Review Team Member, the Collaborative, Inc.
- Russell Thatcher, Review Team Member, Thatcher Consulting LLC

Following the opening conference, the review team met with RTC managers to discuss the requested information and RTC complementary paratransit policies and procedures. Reviewers also discussed site visit logistics with RTC managers, including contractor and staff interviews and data sources. RTC provided a tour of the MTC, including the area where RTC conducts paratransit eligibility assessments.

During the afternoon, team members reviewed RTC paratransit policies and data for the sample week (September 10–16, 2017). Two team members observed RTC customer care agents taking trip requests by phone. One team member reviewed RTC’s procedures for collecting, investigating, and responding to complaints. One team member reviewed the eligibility determination process.

On November 13, the review team visited the IBMF in North Las Vegas. They met with Transdev’s general manager. They interviewed one of the schedulers. They observed dispatchers and discussed practices for no-shows, missed trips, and rider inquiry calls. They met with the assistant general manager to discuss how she monitors on-time performance. One team member also met with Transdev’s lead driver trainer and reviewed training materials. Team members also interviewed seven Transdev paratransit drivers.

In the afternoon, team members returned to the MTC to continue policy review and data analysis. One team member looked at customized telephone performance data. Another team member analyzed trip data from the sample week to derive performance for on-time pickup and drop-offs, as well as trip lengths. A third team member reviewed sample rider eligibility files.

On November 15, two team members again observed customer care agents taking trip requests. They also met with RTC managers to discuss contractor monitoring procedures and RTC procedures for reviewing no-show and missed trip coding and for suspending riders for excessive no-shows and violent/disruptive behavior.

On November 16, the review team analyzed and tabulated the various data. They prepared for the exit conference, which took place at noon at MTC. Attending the conference were:

- Dan Howland, Director of Paratransit & Specialized Services, RTC
- Sherwin Gutierrez, Manager Finance, RTC
- Tazmisha Jones, Manager Quality Assurance, RTC
- Kenneth Rodriguez, Customer Care Manager, RTC
- Marc Traasdahl, Director of Finance, RTC (via telephone)
- Tony Anderson, RTC outside counsel
- John Day, Program Manager for Policy and Technical Assistance, FTA (via telephone)
- Marisa Appleton, Civil Rights Officer for Oversight, FTA (via telephone)
- Bill Schwartz, Review Team Leader, the Collaborative, Inc.
- David Chia, Review Team Member, the Collaborative, Inc.
- Russell Thatcher, Review Team Member, Thatcher Consulting LLC

FTA provided RTC with a draft copy of the report for review and response. See Attachment B for RTC’s correspondence documenting its response to the draft report.

## 5.3 Stakeholder Interviews

Before the site visit, the review team interviewed five complementary paratransit riders, two family members of riders, and four representatives of agencies that work with paratransit riders. The following is a summary of comments received:

**Eligibility.** Most interviewed noted no problems with the certification or recertification process. One rider disagreed with RTC's determination that she may ride paratransit while using her manual wheelchair, but not while using her powered wheelchair. See Section 6.2. An agency representative believed that RTC is less equipped to evaluate applicants with only cognitive disabilities.

**Telephone access.** Most respondents noted an improvement in phone service. They believed that the availability of online reservations has been a big help (many use this option for some or all their trip requests). One agency representative said telephone hold times are longest between 7–9 a.m. and 2–5 p.m.

One rider said the contractor-managed WMR telephone lines have long hold times. One rider complained that RTC's customer service phone menus require numerous steps in order to speak to an RTC employee.

**Reservations, denials, and wait lists.** Two interviewees said they were placed on a trip wait list in the past year; one said the trip request became a denial. Others were not placed on a wait list.

All interviewees said that RTC negotiates pickup times. One rider and two agency representatives said that RTC sometimes offers pickup times more than 60 minutes from the requested time. One rider said that RTC often offers him very early pickup times for trips with appointment times. Another said she re-requests drop-off times to receive offers of earlier pickup times.

**On-time performance.** Most interviewees said pickups are within the window (-5/+25 minutes). One rider said both pickups and drop-offs are "50 percent late." Two riders cited very early drop-offs. Two others said that pickups are occasionally late.

**Travel times.** Eight interviewees described rides as excessively long with trips of 90 minutes or longer as common.

**Drivers.** Most interviewees spoke favorably about drivers. One rider described drivers as "disrespectful, not friendly," saying they yell at him. One rider's relative said her daughter's drivers do not know the drop-off locations at her daughter's college. One agency representative noted that Easter Seals of Southern Nevada participates in driver training.

**Resolving complaints.** Most interviewees were satisfied with how RTC responds to complaints describing them as timely. One rider described RTC's responses as not useful.

## 6 Findings and Advisory Comments

This chapter details the findings for each of the areas pertinent to the regulations found in 49 CFR Parts 27, 37 and 38 outlined in the Scope and Methodology section above. For each area, an overview of the relevant regulations and a discussion of the regulations as they apply to RTC complementary paratransit service is provided, with corrective actions and a timetable to correct deficiencies for each of the requirements and sub-requirements where necessary.

Findings are expressed in terms of “deficiency” or “no deficiency.” Findings of deficiency denote policies or practices found to be not in compliance with DOT ADA regulations or matters for which FTA requires additional reporting to determine whether an ADA compliance issue exists.

Findings of deficiency always require corrective action and/or additional reporting, and will always be expressed as:

- A statement concerning the policy or practice in question at the time of the review
- A statement concerning the DOT ADA requirements being violated or potentially being violated
- A statement concerning the required corrective action to resolve the issue

Advisory comments are statements detailing recommended or suggested changes to policies or practices to ensure effective practices under the ADA or otherwise assist the entity in achieving or maintaining compliance.

### 6.1 Comparable Complementary Paratransit Service

**Requirement:** Under 49 CFR § 37.121, transit agencies operating a fixed route system must provide complementary paratransit service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed route system.

**Discussion:** During this compliance review, no deficiencies were found with the requirement.

### 6.2 Paratransit Eligibility Process

#### Absence of Administrative Burdens

**Requirement:** Under 49 CFR § 37.125, transit agencies must establish an eligibility process for complementary paratransit. The process may not impose unreasonable administrative burdens on applicants, and, since it is part of the entity’s nondiscrimination obligations under § 37.5(d), may not involve “user fees” or application fees to the applicant.

**Discussion:** During this compliance review, no deficiencies were found with the requirement to not impose unreasonable administrative burdens on applicants.

Individuals interested in ADA paratransit eligibility contact RTC to initiate the process. RTC interviews all applicants in person at MTC. There is no paper application. RTC provides free transportation to and from the interview and imposes no other charges. If required, RTC asks applicants to obtain supplemental information from treating professionals. RTC charges \$3 (regular paratransit fare) to any applicants traveling to and from any appeal hearings.

## Paratransit Eligibility Standards

**Requirements:** Under 49 CFR § 37.123(e)(1)–(3), a transit agency’s eligibility processes, application materials and public information must be comprehensive enough to permit the transit agency to determine that the following individuals are ADA paratransit eligible:

Any individual with a disability who is unable, as the result of a physical or mental impairment (including a vision impairment), and without the assistance of another individual (except the operator of a wheelchair lift or other boarding assistance device), to board, ride, or disembark from any vehicle on the system which is readily accessible to and usable by individuals with disabilities

Any individual with a disability who needs the assistance of a wheelchair lift or other boarding assistance device and is able, with such assistance, to board, ride and disembark from any vehicle which is readily accessible to and usable by individuals with disabilities

Any individual with a disability who has a specific impairment-related condition that prevents the individual from traveling to a boarding location or from a disembarking location

**Discussion:** During this compliance review, deficiencies were found with the requirement that eligibility determinations be made in accordance with the regulatory criteria. An advisory comment is made regarding tailored requests for supplemental information from treating professionals.

The review team examined public information on ADA paratransit eligibility described on RTC’s website and in a document titled “Paratransit Eligibility Process.” They also reviewed the RTC Certification Department’s Standard Operating Procedures (SOP), as well as forms for interviews, functional assessments and follow-ups. The review team interviewed RTC managers overseeing the eligibility process. The review team randomly selected 30 determination files for detailed examination of eligibility decisions. The review team identified the following concerns:

- Determinations for applicants who use powered wheelchairs did not adequately consider the lack of accessible paths of travel or the lack of alternate paths where sidewalks do not exist.
- Determinations did not accurately reflect applicants’ ability to cross a busy street.
- Determinations did not reflect an applicants’ ability to travel more than ¼ mile to and from bus stops.

## Eligibility Process

RTC’s eligibility process for new applicants includes an in-person interview, one or more functional assessments as needed, and any necessary follow-up with applicants’ treating professionals. RTC contracts with the Nevada Community Enrichment Program (NCEP) to support the process. NCEP personnel assist with applicant check-ins and support functional assessments. RTC uses its paratransit software to electronically document the process.

The MTC is an award-winning eligibility assessment facility, which also houses office space for organizations providing related services such as travel training. The MTC features an indoor eligibility course with ramps, streets, sidewalks, various walking surfaces, curbs, curb ramps, and crossings, and an RTC bus. RTC uses this ¼-mile course to simulate traveling in an urban environment, including boarding and alighting a bus. Blind Connect, a local disability organization for people with vision disabilities, is co-located at MTC; Blind Connect assists RTC with travel training for blind or visually impaired riders.

RTC’s Certification Department is open for telephone inquiries weekdays from 8 a.m. to 4:30 p.m. RTC schedules applicant interviews and arranges needed transportation at no charge. RTC confirms appointments in writing; the letter asks those attending interviews to bring proper identification and a completed form providing the name(s) and contact information for applicants’ treating professional(s).

Upon arrival at MTC, RTC confirms credentials and takes photographs for rider identification cards for eligible applicants. One of RTC's four Eligibility Technicians (ET) then interviews applicants and assists with any incomplete forms. The interview form has five parts:

1. Personal information
2. Applicant disabilities, including what prevents them from using fixed route bus service, medications, current health, temperature sensitivity, and whether they travel with a Personal Care Attendant (PCA)
3. Current travel in the service area community and current and past use of fixed route bus service
4. Mobility aids used
5. Interview summary and ET observations of mobility and behavior, such as responsiveness, comprehension, distractibility, attentiveness, vision, etc.

If applicant information and interview observations are sufficient, ETs make eligibility determinations at the end of the interview. If ETs need information from treating professionals to support a determination, they ask applicants to sign a HIPAA release to process the request. RTC sends letters to applicants confirming such information requests; the letters note the application process is not complete until information is received from the professional(s).

RTC's generic letter to treating professionals explains that eligibility is based on the functional ability to use fixed route bus service. The letter asks for information about the applicants' disability and why they are unable to ride the bus. RTC eligibility personnel said the information they receive from treating professionals is sometimes too general and therefore not helpful in determining functional ability.

Tailoring follow-up requests to specific issues ETs identify during the determination process may address these concerns. For example, if an applicant claims a seizure condition, ETs can ask about seizure types, frequencies and last occurrence, and the effects of any medications that control the seizures. Similarly, for applicants with a vision disability, ETs can ask for details on visual acuity, navigation, and ability to cross the street. The Easter Seals Project ACTION resources RTC currently uses provide sample questions for different types of disabilities.

Applicants may require one or more of the following functional assessments to support eligibility determinations:

- A physical functional assessment
- A cognitive assessment using the Functional Assessment of Cognitive Transportation Skills (FACTS) test developed by Easter Seals Project ACTION
- An assessment of memory using the Mini Mental Status Exam (MMSE)

Physical functional assessments typically occur indoors using the MTC course. RTC uses a full-scale bus to assess ability to enter and exit and go to and from seats or securement areas. The MTC course includes a simulated six-lane (130 feet) intersection with traffic and pedestrian lights, and a four-lane (50 feet) street crossing. Assessors observe applicants' ability to activate the pedestrian signal and time to cross the street.

Completion of the course requires applicants to travel 1/4 mile, including 264 feet outdoors. Assessors note travel time at several milestones along the course and record any rest breaks needed. Assessors look for signs of distress and discontinue assessments as appropriate. Most of the 1/4-mile course (1,056') is indoors. A 264' outside section includes the accessible sidewalk in front of the building.

Assessors record the ability to complete each task, relevant observations, and any applicant limitations to support eligibility recommendations. Assessors also record whether more information from treating professionals is needed. The need for third party information typically occurs when assessors feel applicants do not make a reasonable effort to complete the course. If the treating professionals'

information conflicts with the initial assessment, RTC schedules follow-up assessments. The process is complete upon receipt of treating professionals' documentation or any follow-up assessments.

RTC makes eligibility decisions and communicates this decision in writing. See Written Eligibility Determinations Including Specific Reasons for Denials or Temporary or Conditional Eligibility Determinations below.

### **Eligible Riders, Application Volume, and Certification Outcomes**

As of October 31, 2017, RTC had 17,928 individuals registered as ADA paratransit eligible. Table 6-1 shows eligibility determination statistics and outcomes for 3,205 applications between January 1 and September 30, 2017. RTC found 2,519 new applicants (88.6 percent) eligible and 686 (21.4 percent) not eligible. Of those determined eligible, 47.6 percent were granted unconditional eligibility, 23.8 percent conditional eligibility, and 28.6 percent temporary eligibility. The percentage of new applicants found not eligible (21.4 percent) is high relative to other transit agencies. RTC explained this is likely due to two factors: 1) RTC offers free fixed route service to ADA paratransit eligible riders (as an incentive to ride the bus); and 2) the application process is in-person without any pre-screening or self-disqualification. In other words, in other transit systems, once some applicants understand the strict criteria for eligibility, they may opt to not apply.

**Table 6.1 – RTC Eligibility Determination Outcomes, January 1, 2017 through September 30, 2017**

<b>Determination</b>	<b>Number</b>	<b>Percent</b>
Total Eligible	2,519	78.6%
Unconditional	1,198	47.6%
Conditional	600	23.8%
Temporary	721	28.6%
Not Eligible	686	21.4%
<b>Total</b>	<b>3,205</b>	<b>100%</b>

### **Examination of Sample Eligibility Decisions**

To assess whether determinations correctly applied the regulatory criteria for eligibility, the review team reviewed a 30-file random sample of eligibility decisions made after July 2017. This included 10 determinations where applicants were found to be not eligible, 10 determinations of conditional eligibility, five of temporary eligibility, and five applicants with appeals. The review team also examined five recent complaints filed with FTA related to RTC eligibility determinations. The review team discussed each eligibility decision with RTC and identified the following issues:

- In two of the 10 cases where eligibility was denied, applicants used powered mobility devices. One applicant used a powered wheelchair and the second a scooter. The assessors indicated the applicants completed the full course (indoors and outdoors) with no issues. They observed the applicants going up and down the curb ramps along the course, but left the portion of the assessment form that asks if applicants can step onto a curbed sidewalk blank; Assessors left this section blank because it was obvious applicants could not walk. Assessors focused on the applicants' ability to navigate only the accessible indoor and outdoor course. Neither assessor considered the applicants' ability to navigate inaccessible paths of travel in a real environment when no safe, accessible paths of travel to or from bus stops exist. One of the complaints filed with FTA also concerned this issue. The complainant used a powered wheelchair and was denied eligibility.
- In five of the 10 cases where RTC granted conditional eligibility, the conditions were limited to trips requiring street crossings of more than five lanes. RTC's decisions were based mainly on assessor observations of walking speeds as applicants navigated the two indoor, mock street crossings. Assessor notes for all five cases indicated applicants walked slower than RTC's adopted standard of three feet per second. All five had difficulty crossing the shorter (four-lane)

mock street crossing as well as the six-lane crossing. Observed walking speeds varied from 1.85 to 2.94 feet per second. Assessors noted that applicants had issues with “street crossings,” but did not indicate which streets they could cross, even though a three-lane street crossing is an available standard.

- In six of the 10 cases where RTC granted conditional eligibility, applicants claimed limitations in functional ability to travel long distances to get to or from bus stops. Assessors observed all applicants navigating the ¼-mile indoor course. In some cases, assessors observed applicants taking rest breaks, complaining of pain, or experiencing shortness of breath. In one case, the assessor noted “shortness of breath as distance increased.” All six assessment forms noted that applicants completed the ¼ mile course within RTC’s 16-minute standard. Assessors did not ask any of these applicants to walk more than ¼ mile; notes did not extrapolate functional ability to travel farther. All three distance categories RTC uses (DS1—330 feet, DS2—660 feet, and DS3—1,000 feet) are less than ¼ mile. RTC does not consider applicants’ ability to travel more than ¼ mile.

The sample file review indicates that RTC’s eligibility process is overly reliant upon applicants’ ability to complete the indoor course, which is climate-controlled and predominantly accessible. Assessors should use these limited observations to extrapolate travel in the real environment with an applicant’s ability to get to and from bus stops within the service area under less favorable conditions.

**Corrective Actions and Schedule:** Within 60 days of the issuance of the final report, RTC must provide to FTA a revised eligibility SOP and a plan for retraining eligibility personnel RTC to address the following issues:

- Consideration of path-of-travel barriers (e.g., lack of curb ramps, lack of sidewalks) when determining eligibility for applicants that use mobility devices, including powered wheelchairs
- More accurate and thorough consideration of the types of street crossings that applicants can safely complete
- Consideration of an applicant’s ability to travel up to ¾ of a mile to get to and from bus stops, and establishment and use of distance conditions beyond 1,000 feet
- A more complete determination of an applicant’s ability to travel outdoors, not just the ability to complete the controlled and primarily indoor course.

**Advisory Comment:** It is an effective practice to tailor follow-up requests from treating professionals on applicants’ disability and claimed functional limitations.

## Accessible Information

**Requirement:** Under 49 CFR § 37.125(b), transit agencies must make all information about the process, materials necessary to apply for eligibility, and notices and determinations concerning eligibility available in accessible formats, either as a rule or upon request.

**Discussion:** During this compliance review, no deficiencies were found with the requirement to provide accessible eligibility information or with how the transit agency communicates the availability of materials in accessible formats to applicants and potential applicants.

The review team examined RTC’s public information materials, website information, and ADA paratransit eligibility materials. They found that RTC provides eligibility information and materials in alternate accessible formats (large type, braille, online, computer file) upon request.

RTC has adopted an Effective Communications Policy as part of its implementation of the ADA and Section 504 of the Rehabilitation Act. The policy is posted on the RTC website as part of the Title II and Title VI legal notices under a Statement of Nondiscrimination (<http://www.rtcnv.com/wp-content/uploads/2012/03/Effective-Communications-Policy.pdf>).



The policy states:

In compliance with the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973, the Regional Transportation Commission of Southern Nevada (RTC) will ensure that communications with individuals who have hearing, speech, vision, communication and cognitive limitations are as effective as communications with others in the delivery of its programs, services and activities. Upon the request of a qualified individual with a disability affecting hearing, vision, speech or cognitive limitations, the RTC will furnish appropriate auxiliary aids and services where necessary to afford such an individual an equal opportunity to participate in and have access to RTC programs, services and activities.

Auxiliary aids and services may include:

- Information presented in visual formats [e.g. booklets, flyers, brochures] produced in 18-point print;
- audio tape format, or Braille for the visually impaired;
- Qualified readers for the visually impaired;
- Telecommunications devices (TDD) for the hearing or speech impaired;
- Telephone handset amplifiers; Assistive listening devices;
- Qualified sign-language-Interpreters for the hard of hearing or deaf individual;
- Computer-aided real-time reporting;
- Illustrative communications for individuals with cognitive disabilities;
- Flashing alarms;
- Open and/or closed captioning; Audiotapes; or
- Computer disks.

RTC gathers information from every applicant for ADA paratransit eligibility about the need for communications in an accessible format. Page 1 of the Interview Form includes the question “Do you need written information provided in a different format?” RTC gathers information about the best format for future communications and adds this information to applicants’ files.

### **Eligibility Determinations or Presumptive Eligibility Within 21 Days**

**Requirement:** Under 49 CFR § 37.125(c), a transit agency that has not made a written eligibility determination by the 21st day following submission of a complete application must treat the applicant as eligible on the 22nd day and provide service until and unless the transit agency denies the application. Transit agencies that require functional assessments must schedule such assessments within a reasonable period of time (7–10 days). The transit agency’s process must communicate to applicants the right to this presumptive eligibility so they are aware of their rights to schedule and use the service beginning on the 22nd day.

**Discussion:** During this compliance review, no deficiencies were found with the requirement to have a presumptive eligibility process in place and/or make an eligibility determination within 21 days of receipt of a complete application. An advisory comment is made regarding scheduling timely interviews. An advisory comment is also made regarding how RTC communicates application processing time and presumptive eligibility to applicants.

RTC’s certification SOPs ensure compliance with the 21-day requirement. The clock begins upon completion of the interview and assessment unless treating professionals need to provide additional information. In those situations, RTC defers the 21-day milestone until after receipt of the requested information. RTC uses its paratransit software to record eligibility determinations. The software program alerts RTC when an application is nearing the deadline. For determinations approaching the milestone, RTC’s SOP states:



If you are reviewing a file that is nearing the 21 day deadline reach out to the customer and advise him or her the status of their application. If they are approved to use the service provide the client with information on how to contact the Call Center to book rides. Inform the customer that they will be receiving a determination letter soon. However; they do not need the letter to schedule rides. (SOP page 67)

The paratransit eligibility page on RTC's website explains the 21-day processing time but does not clarify the requirement to provide presumptive eligibility for determinations that take longer. However, during interviews, RTC explains both the processing timeframe and the offer of presumptive eligibility for longer determinations.

The review team recorded the determination milestone dates from the 32 sample eligibility files. The analysis indicated that RTC processed all but two of the files within 21 days.

To measure elapsed time between initial applicant calls and interview appointments, RTC provided the review team a sample of 162 randomly selected applicant interviews conducted between April 1 and October 31, 2017. The data included dates of initial appointment requests and appointments. Table 6.2 presents the distribution of processing times. As shown, approximately 36 percent of interviews took place within two weeks of initial calls and 67.3 percent, within three weeks. About a third of interviews took place more than three weeks after requested, indicating untimely delays. RTC attributed some of the delays to staffing issues that it addressed by the time of the site visit; during the week of the visit, RTC was offering interview appointments within 13 days.

**Table 6.2 – Number of Days to Schedule and Conduct Eligibility Interviews for 162 Randomly-Selected Interviews Between April 1 and October 31, 2017**

Processing Time (Days)	Number	Percent
1–7 days	16	9.9%
8–14 days	42	25.9%
15–21 days	51	31.5%
22–28 days	35	21.6%
29–35 days	17	10.5%
36–42 days	1	0.6%
<b>Total</b>	<b>162</b>	<b>100%</b>

**Advisory Comments:** It is an effective practice to maintain adequate staff to schedule interviews promptly. It is also an effective practice to ensure all public documents describing eligibility explain the right to presumptive eligibility when determinations take more than 21 days.

### **Written Eligibility Determinations Including Specific Reasons for Denials or Temporary or Conditional Eligibility Determinations**

**Requirements:** Under 49 CFR § 37.125(d), determinations of eligibility must be made in writing. The documentation must include the name of the eligible individual, the name of the transit provider, the telephone number of the entity's paratransit coordinator, an expiration date for eligibility, and any conditions or limitations on the individual's eligibility including the use of a personal care attendant (PCA). Under § 37.125(e), if applicants are found to be ineligible, the determination must state the specific reasons for the decision (a mere statement that the applicant has been found to be ineligible is not sufficient). If an individual has been determined to be conditionally or temporarily eligible, the determination must state the conditions under which eligibility is granted and the basis for that determination. Information concerning the applicant's right to appeal under § 37.125(g) must also be provided.

**Discussion:** During this compliance review, deficiencies were found with certain aspects of RTC's written eligibility determinations. No deficiencies were found with how RTC explains applicants' right to appeal.

The review team examined the RTC determination letter templates and actual letter samples. Riders with unconditional eligibility receive letters stating their name, RTC's contact information, an expiration date for eligibility, any conditions or limitations on the individual's eligibility, and the use of a PCA if it was indicated in the interview.

Letters for riders receiving conditional and temporary eligibility explain all conditions or limitations and the right to appeal along with details on the RTC appeal process, but do not state the specific reasons for the decision.

Letters for applicants denied eligibility state the specific reasons for the decision and include information on the right to appeal along with details on the RTC appeal process.

**Corrective Action and Schedule:** Within 60 days of the issuance of the final report, RTC must change its eligibility determination letters granting conditional or temporary eligibility to state the specific reasons for such determinations.

### **Recertification of Eligibility at Reasonable Intervals**

**Requirement:** Under 49 CFR § 37.125(f), transit agencies are permitted to require paratransit riders to recertify eligibility at reasonable intervals. As stated in Appendix D, a reasonable interval would be between one and three years.

**Discussion:** During this compliance review, no deficiencies were found with the recertification process or with how the transit agency communicates recertification of eligibility to applicants. An advisory comment is made about ensuring consistency in eligibility determinations during the recertification process. RTC provides full-term eligibility for three years or less for instances of temporary eligibility. RTC notifies riders prior to an upcoming eligibility expiration.

RTC permits riders with unconditional eligibility whose ability is unlikely to change to apply for recertification via mail. RTC requires some riders to follow the same process as new applicants. The review team examined records of recertifications for the same January 1–September 30, 2017 timeframe as listed in Table 6.1, noting that 34.7 percent of recertifications resulted in determinations of not eligible. This rate appears to be high, and suggests the possibility that standards are being applied inconsistently.

**Advisory Comment:** It is an effective practice to examine changes in eligibility outcomes during the recertification process to ensure consistency in how eligibility personnel interpret interview questions and score functional assessments.

### **Administrative Appeal Process for Denials or Decisions Granting Conditional or Temporary Eligibility**

**Requirements:** Under 49 CFR § 37.125(g), transit agencies must have a process for administering appeals through which individuals who are denied eligibility can obtain review of the denial. Transit agencies are permitted to require written notice, within 60 days of its written decision denying or limiting eligibility that the applicant wishes to exercise his or her right to an appeal hearing. Transit agencies cannot require the "filing of a written appeal."

The appeal process must include an opportunity for the applicant to be heard and to present information and arguments, with appropriate separation of function (i.e., a decision by a person not involved with the initial decision to deny eligibility). Appeal decisions must be provided in writing and explain the reasons for denying the appeal. The appeal hearing must be scheduled within a reasonable amount of time, and if a decision has not been made within 30 days of the completion of the appeal process, the appellant must be provided complementary paratransit service from that time until and unless a decision to deny the appeal is issued, as required.

**Discussion:** During this compliance review, deficiencies were found with the requirement to hear appeals in a timely way and to provide the specific reasons for the decisions. No deficiencies were found with the process for requesting appeals or with the requirement to have appropriate separation of function.

All RTC determination letters denying or limiting eligibility explain the right to appeal and how to appeal. The RTC website and the Paratransit Eligibility Process brochure explain the appeal process, and the website includes a link to an appeal request form. RTC accepts all requests for appeals within 65 days of the date RTC mails the determination letter.

To request an appeal, applicants must complete and submit a one-page appeal request form that asks applicants if they prefer receiving an in-person hearing to submitting additional information to RTC’s Hearing Officer. Submitting information for reconsideration is optional. RTC’s appeal process information states, “The choice to provide supporting information will not limit the applicant’s ability to be heard and to present information or arguments during the hearing.”

At the time of the review, RTC contracted with one professional to serve as a Hearing Officer. The Hearing Officer had a background in law and served on a local disability organization board. RTC planned to recruit up to eight individuals who know various types of disabilities to hear appeals.

Upon receipt of appeal requests, RTC schedules a hearing and notifies the applicant of the date and time, often 30 days after notification. RTC policy permits hearing notifications to be scheduled up to 60 days after RTC receives hearing requests, meaning hearings can take place 90 days or more after RTC receives the request.

The review team examined a random selection of 80 recent appeal files between April 1 and October 31, 2017. Table 6.3 shows the distribution of elapsed time between RTC receipt of hearing requests and the dates hearings were scheduled. As shown, 31 percent of appeal hearings took 30 days to schedule, and 40 percent, between 31 and 60 days, which demonstrates that 29 percent took more than 60 days to schedule. The DOT ADA regulations do not specify a deadline by which transit agencies must hold an in-person appeal after an applicant requests a hearing. FTA encourages agencies to hold the appeal hearing promptly (i.e., within 30 days of the initial request).

**Table 6.3 – Number of Days to Schedule and Conduct Eligibility Appeal Hearings for 80 Randomly-Selected Appeals Between April 1 and October 31, 2017**

Time (Days)	Number	Percent
1–30 days	25	31%
31–60 days	32	40%
61–90 days	15	19%
91–120 days	6	8%
121+ days	2	2%
<b>Total</b>	<b>80</b>	<b>100%</b>

RTC provides the Hearing Officer with the full eligibility record. The Hearing Officer then considers any additional information provided as part of the appeal request. RTC policy requires appeal decisions within 30 calendar days and grants presumptive eligibility for decisions that take longer. The Hearing Officer can affirm or reverse RTC’s decision or remand the case for further RTC review. RTC grants presumptive eligibility for remanded cases.

Between May 1, and October 31, 2017, RTC’s Hearing Officer heard 171 eligibility appeals, or about 28 per month. More than 330 determinations per month found applicants not eligible or with limited eligibility (conditional or temporary), suggesting an appeal rate of about 8.4 percent. During this time frame, the Hearing Officer decided appeals as follows: 147 affirmed (86 percent), 16 reversed (9 percent, and eight remanded (5 percent).

The review team examined several appeal letters that contained detailed explanations of the original eligibility decision and the DOT ADA regulations on ADA paratransit eligibility. The examined letters did not contain sufficient information about the actual appeal decision. For example, in one case, an appellant provided documentation of prior hospitalization to support a claim of a psychiatric disability, spinal stenosis, arthritis, and bulging spinal disc. She also described upcoming neck and back surgery. The appeal decision documented the appellant “spoke at great length about her traumatic experience of 1980” and “was expecting to be scheduled for neck and back surgery shortly.” The decision then stated, “Nevertheless, the Appellant presented NO new evidence or testimony sufficient to overturn the RTC’s determination at this time.” The decision does not state why the Hearing Officer discounted the documentation and testimony or why he felt it was insufficient.

In a second example, a medical professional advocating for an appellant testified and provided a letter to support the appellant’s claim of severe anxiety. The letter confirmed a diagnosis of bipolar disorder and the appellant’s constant fear of using fixed route transit, stating the applicant expressed “extreme worry that he will not find his bus stop or that he can cross the street safely.” The Hearing Officer’s decision noted that the advocate presented a letter and testimony, but stated “The appellant’s representative...presented NO new evidence or testimony sufficient to overturn the RTC’s determination at this time.” Again, the written decision does not indicate why the Hearing Officer discounted the medical professional’s letter or testimony, or why he did not feel it was sufficient to show an inability to use fixed route transit.

**Corrective Action and Schedule:** Within 60 days of the issuance of the final report, RTC must begin scheduling eligibility appeal hearings promptly. RTC must also provide documentation to FTA showing that appeal decision letters fully explain the specific reasons for the decision in cases where eligibility continues to be denied or limited.

### Complementary Paratransit for Visitors

**Requirements:** Under 49 CFR § 37.127(d)–(e), complementary paratransit service must be made available to visitors not residing in the jurisdiction(s) served by a transit agency for any combination of 21 days during any 365-day period, beginning with the visitor’s first use of the service during the 365-day period. Transit agencies must treat as eligible all visitors who present information that they are eligible for complementary paratransit service in the jurisdiction in which they reside; for those who do not present such documentation, transit agencies may require documentation of the individual’s place of residence and, if the individual’s disability is not apparent, of his or her disability. In no case may transit agencies require visitors to apply for or receive eligibility certification for their own complementary paratransit service before providing service to eligible visitors.

**Discussion:** During this compliance review, deficiencies were found with the requirement to make paratransit eligibility available to individuals meeting the definition of a visitor. No deficiencies were found with the way that RTC publicizes its visitor eligibility policy.

RTC describes its visitor eligibility policy on its website and in its Paratransit Riders’ Guide (Riders’ Gide). See Attachment C. Information on the paratransit web page states:

The RTC will treat as eligible for complementary paratransit service all visitors who present documentation that they have paratransit eligibility in the jurisdiction in which they reside. This can be accomplished in advance of arrival by requesting confirmation of paratransit eligibility be sent to the RTC either by mail, fax or e-mail.

If the visitor is requesting to register in advance of their arrival and they are not certified for Paratransit with another transit agency then we will request that the visitor provide documentation of disability by mail, fax or e-mail.

If the visitor appears in person to request visitor status and they are unable to present documentation of paratransit eligibility, we may require proof of residence and if their disability is not apparent the RTC will ask the visitor to sign a certification document that states that they are unable to use fixed route transit.

RTC's policy for visitors with ADA paratransit eligibility from another transit agency is correct, except that it requires information to come directly from the certifying agency and not from the individual. Requiring documentation of disability for those not certified elsewhere is only permitted if individuals' disability is not apparent. If apparent, RTC may require documentation of place of residence. Applying these requirements is the same for advance or in-person visitor eligibility requests.

RTC typically processes visitor eligibility requests within one business day.

**Corrective Action and Schedule:** Within 60 days of the issuance of the final report, RTC must provide visitor status and service to individuals not certified by other transit agencies but who have apparent disabilities without requiring documentation of disability. RTC must also begin accepting documentation of eligibility directly from visitors rather than requiring they arrange their local paratransit office to send it.

### 6.3 Types of Service

**Requirement:** Under 49 CFR § 37.129(a), transit agencies must provide complementary paratransit service on an origin-to-destination-basis. Transit agencies may determine, through their local planning process, whether to establish either door-to-door or curb-to-curb service as the basic mode of complementary paratransit service. Where the local planning process establishes curb-to-curb service as the basic complementary paratransit service mode, however, provision must still be made to ensure that the service available to each passenger actually gets the passenger from his or her point of origin to his or her destination point. To meet this origin-to-destination requirement, service may need to be provided to some individuals, or at some locations, in a way that goes beyond curb-to-curb service.

**Discussion:** During this review, no deficiencies were found with RTC policies and practices to provide complementary paratransit service on an origin-to-destination-basis.

The base level of RTC service is door-to-door. Page 23 of the Riders' Guide states, "The driver will come to your residential door, but will not enter into lobbies of apartments, professional buildings, retail establishments or commercial properties..." Most riders and agency representatives the review team interviewed confirmed that drivers provide assistance as needed when picking up and dropping off riders. Drivers the review team interviewed knew that they were supposed to assist riders to and from the residence/building entrance. Several drivers noted that, on request, they would go beyond the required service by helping riders with shopping bags.

### 6.4 Service Criteria for Complementary Paratransit

**Requirement:** As codified in 42 U.S.C. 12143, the ADA directed the Secretary of Transportation to issue regulations that establish minimum service criteria for determining the level of service provided by paratransit as a complement to fixed route service. These criteria are contained in 49 CFR § 37.131 and include service area, response time, fares, and hours and days of service, and prohibit restrictions on trip purpose and capacity constraints that limit the availability of service to eligible individuals. The review team assessed the RTC complementary paratransit system using these criteria as described in this section.

#### Service Area

**Requirement:** Under 49 CFR § 37.131(a)(1), all public entities operating a fixed route transit system must provide complementary paratransit service that covers, at a minimum, all areas within a 3/4-mile



radius of all of its bus routes, and within a “core service area” that includes any small areas that may be more than 3/4 mile from a bus route, but are otherwise surrounded by served corridors. This includes any areas that cross political boundaries or taxing jurisdictions, but are within a 3/4-mile radius of a fixed route, unless the transit agency does not have the legal authority to operate in those areas. For transit agencies operating a light rail or rapid rail transit service, the complementary paratransit service area must also include 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.

**Discussion:** During this compliance review, no deficiencies were found with the RTC service area.

Since 2011, RTC has provided complementary paratransit to all areas within 3/4-mile of a RTC bus route. Before then, RTC’s service area exceeded the minimum requirement. RTC continues to serve riders with home addresses outside the current service area who lost service with the boundary change. RTC does not provide service to these riders if they move to a different address beyond 3/4-mile of a bus route.

RTC incorporates its service area extents into its trip scheduling software. Customer care agents can also enlarge on-screen maps to verify whether trip origins and destinations are within the RTC service area.

## Response Time

**Requirement:** Under 49 CFR § 37.131(b), transit agencies must schedule and provide complementary 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, including during times comparable to normal business hours on a day when the offices are not open before a service day. Reservations may be taken by reservation agents or by mechanical means. Under 49 CFR § 37.131(b)(2), while transit agencies may negotiate the pickup time with a caller prior to a trip being scheduled, they cannot require a rider to schedule trips to begin more than one hour before or after the rider’s desired departure time. Any greater deviation would exceed the bounds of comparability. Negotiations should take into account riders’ practical constraints. Transit agencies must have policies and procedures in place to ensure that schedulers and dispatchers do not adjust a rider’s negotiated pickup time or pickup window without the rider’s consent.

Under 49 CFR § 37.131(b)(4), if transit agencies propose to change their reservations system, they must comply with the public participation requirements equivalent to those of § 37.137 (b)–(c). Transit agencies may permit reservations to be made up to 14 days in advance of an eligible individual’s desired trips, subject to the same trip negotiation requirements as next-day trips required under § 37.131(b)(2).

**Discussion:** During this compliance review, deficiencies were found with the trip negotiation process. No deficiencies were found with the next-day service requirements or with reservations hours.

RTC accepts trip requests one to three days before travel. Riders may call from 7 a.m. to 6 p.m., seven days a week. Riders may also make trip requests online 24 hours a day, from three days before travel to 6 p.m. the day before travel.

Riders may reserve a trip by providing either a requested pickup time or drop-off (appointment) time. The review team observed RTC customer care agents accepting 116 trips requests on two occasions (Monday afternoon and Wednesday morning). For most of the observed trip requests, RTC agents negotiated trip requests with callers except when the paratransit software offered a pickup time that matched a request. The software permits agents to choose from among three or four vehicle runs. The agents accounted for riders who could not be picked up earlier than a certain time. For requested drop-off times, agents selected the vehicle run that would arrive as close as possible before the stated appointment time.

On Monday, the review team observed four trip requests (three different riders), where the software generated a message, “No solution found.” In some instances, the rider requested an alternate pickup time (by RTC policy, this alternate time must be at least 30 minutes earlier or later than the initial time requested). If this alternate request again led to a “No solution found,” or if the rider did not make an

alternate request, the agent informed the caller that RTC could not yet confirm the pickup time but guaranteed the rider had a trip and that someone would call back with the pickup time by 8 p.m. the day before the trip.

According to RTC's contractor, their schedulers later assign all requested trips with "no solution found" to runs with pickup times within a trip's 2-hour negotiating window (one hour before or after the rider's requested time). Once the scheduler assigns the trip, the scheduler calls the rider with his/her pickup time. By RTC policy, schedulers must then permit riders to negotiate the offered pickup times.

Failing to accept trip requests during the reservations call and placing trips with "no solutions found" into a queue constitutes a waiting list prohibited by §37.131(f)(2). RTC may, however, accept a trip request during the reservations call and then later schedule the trip internally. It may not always be possible for an agency to identify a scheduling solution during the course of a reservations call. In these instances, as long as the call-taker accepts the trip request and confirms the requested time with the rider, this is not a waiting list. Transit agencies that use this approach refer to these trips as "confirmed but unscheduled."

**Corrective Action and Schedule:** Within 60 days of the issuance of the final report, RTC must revise its scheduling practices to accept trip requests even if its customer call agents cannot find solutions during reservations calls. If RTC cannot reach the rider during any call-backs, RTC must honor the time negotiated with the rider at the time of the reservations call.

## Fares

**Requirement:** Under 49 CFR § 37.131(c), complementary paratransit fares must be no more than twice the fixed route fares for the same trip at the same time of day on the fixed route system, excluding discounts. Transit agencies must allow eligible riders to travel with at least one companion (with additional companions accommodated on a space-available basis). If personal care attendants (PCAs) accompany riders, transit agencies must provide service to one companion in addition to the PCA. Companions may be charged the same fare as the eligible rider; no fare may be charged for a PCA.

**Discussion:** During this compliance review, no deficiencies were found with RTC's complementary paratransit fare policy.

The base fare for RTC fixed route buses is \$2.00. The fare for a single RTC paratransit trip is \$3.00. There is no fare for a personal care attendant. The companion fare is \$3.00. RTC also offers discount paratransit fares for monthly passes: \$40 for 22 trips and \$80 for 46 trips. In addition, RTC does not charge a fare for paratransit trips that have been authorized as Medicaid trips.

## No Trip Purpose Restrictions

**Requirement:** Under 49 CFR § 37.131(d), there can be no restrictions or priorities based on trip purpose. When a user reserves a trip, the entity will need to know the origin, destination, time of travel, and how many people are traveling. The entity does not need to know why the person is traveling, and should not even ask.

**Discussion:** During this compliance review, no deficiencies were found with this requirement.

Neither the Riders' Guide nor the RTC website refers to any trip purpose restrictions. In addition, review team members did not observe customer care agents restricting or prioritizing trip requests based on trip purpose.

## Hours and Days of Service

**Requirement:** Section 37.131(e) of the DOT ADA regulations requires that the 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 a transit agency's fixed route system at a specific time of day, it must also be able to be taken on complementary 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 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 complementary paratransit service, at minimum, from 5 a.m. until 9 p.m.

**Discussion:** During this compliance review, no deficiencies were found with this requirement. RTC paratransit operates seven days a week, 24 hours a day, within its service area.

### Absence of Capacity Constraints

**Requirement:** Under 49 CFR § 37.131(f), transit agencies may not limit the availability of complementary paratransit service to ADA paratransit eligible individuals by any of the following: restrictions on the number of trips an individual will be provided; waiting lists for access to the service; or any operational pattern or practice that significantly limits the availability of service to ADA paratransit eligible persons. Such patterns or practices include, but are not limited to: substantial numbers of significantly untimely pickups for initial or return trips, substantial numbers of trip denials or missed trips, or substantial numbers of trips with excessive trip lengths.

### No Restrictions on the Number of Trips Provided to ADA Paratransit Eligible Individuals

**Requirement:** Under 49 CFR § 37.131(f)(1), transit agencies may not impose restrictions on the number of trips provided to ADA paratransit eligible riders.

**Discussion:** During this compliance review no deficiencies were found with this requirement. RTC does not limit the number of trips eligible riders may request and receive.

### No Waiting List for Access to the Service

**Requirement:** Under 49 CFR § 37.131(f)(2), transit agencies are prohibited from establishing policies or engaging in practices and/or procedures that establish waiting list(s) for accessing the service.<sup>1</sup>

**Discussion:** During this compliance review, no deficiencies were found with the requirement to establish waiting lists for RTC paratransit trips. Please refer to the Response Time discussion above.

### No Substantial Numbers of Significantly Untimely Pickups for Initial or Return Trips

**Requirement:** Under 49 CFR § 37.131(f)(3)(i)(a), transit agencies must provide complementary paratransit service without any substantial numbers of significantly untimely pickups for initial or return trips.

**Discussion:** During this compliance review, no deficiencies were found with the requirement that complementary paratransit service be provided without a substantial number of untimely pickups. No deficiencies were found with RTC's on-time pickup performance standards or with how it monitors on-time pickup performance.

Using RTC paratransit software data, the review team independently analyzed 23,757 trips during a sample week (September 10–16, 2017). Table 6.4 shows an overall on-time performance rate of 94.4 percent, including 20.3 percent of pickups occurring before the pickup time.

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<sup>1</sup> Under § 37.133(c), waiting lists may only be established for participation in subscription service that may be offered as part of the transit agency's complementary paratransit system.



**Table 6.4 – On-Time Pickup Performance for 23,757 RTC Trips: September 10–16, 2017**

Trips	All Trips	
	Number	Percent
Early	4,811	20.3%
In window (-5/+25)	17,603	74.1%
<b>Early or in Window</b>	<b>22,416</b>	<b>94.4%</b>
All late	1,341	1.9%
1–15 minutes late	1,054	4.4%
16–30 minutes late	239	1.0%
>30 minutes late	48	0.2%

## No Substantial Numbers of Trip Denials or Missed Trips

**Requirements:** Under 49 CFR § 37.131(f)(3)(i)(b), transit agencies must provide complementary paratransit service without substantial numbers of trip denials or transit agency missed trips. A denial occurs whenever a transit agency is unable to provide a trip on a next-day basis as requested by an eligible passenger between points within the complementary paratransit service area, at a time when the fixed route system is operating, subject to the limitations on trip time negotiation. Under 49 CFR § 37.131(b), transit agencies 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, a denial has occurred whether or not the passenger accepts a departure time of more than one hour earlier or later. In addition, when a denied trip makes a subsequent requested trip impossible, as could occur in the case of an individual taking a round trip to and from a specific location, two trips have been denied.

**Discussion:** During this compliance review, no deficiencies were found with the requirements that ADA paratransit service be provided without substantial numbers of trip denials or missed trips. No deficiencies were found with RTC’s standards for defining denials and transit agency missed trips or with how RTC monitors service to determine whether any capacity constraint exists. An advisory comment is made regarding establishing a missed trip standard.

### Denials

In the information provided prior to the site visit, RTC stated it has a policy of zero denials; RTC reported a very small rate of denials (eight each in 2015 and 2016 and 31 in 2017), which were likely agent errors and not actual denials. RTC’s service contract includes liquidated damages “for any three consecutive (3) months period during which the number of trips denied in violation of Section 37.131(b)(2) of title 49 of the CFR exceeds 0.0025 percent of the trips per month successfully performed” (one per 40 thousand).

The review team did not observe any explicit trip denials, nor did they observe any pickup times offered beyond 60 minutes from requested times.

### Missed Trips – Definition and Performance

In the information provided prior to the site visit, per its provider contract, a missed trip occurs “...if the Revenue Vehicle fails to arrive at the passenger’s pickup location within thirty (30) minutes after the end of the On-Time Window.” While this contractual definition does not match the regulatory definition of a missed trip, RTC recognizes and separately tracks the regulatory definition of a missed trip as:

- Driver arrives after the 30-minute pickup window, rider does not take trip
- Driver arrives and leaves prior to the start of the pickup window, rider does not take trip
- Driver waits less than five minutes within the pickup window, rider does not take trip

RTC does not have a standard for the maximum allowable proportion of missed trips.

In the sample week, RTC recorded 81 missed trips, approximately 0.34 percent of all performed trips.

## Missed Trips – Verification

Transdev dispatchers are responsible for correctly coding scheduled trips that it did not perform as cancellations, rider no-shows, or carrier missed trips. Transdev also reconciles trip data from completed driver manifests with data captured from the vehicles’ mobile data terminals. (RTC considers the written driver manifests as the official records.) RTC reviews a sample of reconciled trip records to verify that Transdev is properly coding no-shows and missed trips.

As part of its no-show suspension process, each day no-shows occur, RTC sends letters to riders with the information. RTC staff examines a sample of trips reconciled as no-shows as part of its internal auditing procedures and verifies specific no-shows only when riders challenge them. These procedures may lead to RTC overstating the number of no-shows and understating the number of missed trips. However, because RTC carefully verifies no-shows for riders facing potential suspensions, RTC does not appear to be improperly suspending riders for excessive no-shows. See Section. 6.6

**Advisory Comment:** It is an effective practice for RTC to establish a standard for missed trips.

## No Substantial Numbers of Trips With Excessive Trip Lengths

**Requirement:** Under 49 CFR § 37.131(f)(3)(i)(c), transit agencies must provide complementary paratransit service without substantial numbers of trips with excessive trip lengths.

Comparability is based on the length of time required to make a similar trip between the same two points using the fixed route system, including time spent traveling to and from a boarding point and waiting for the fixed route vehicle to arrive. FTA recommends basing complementary paratransit travel time on the comparable fixed route travel time, plus 20–30 minutes to allow for a reasonable estimate of time spent walking to and from a bus stop, waiting for the bus to arrive, and making any necessary transfers from one vehicle to another.

**Discussion:** During this compliance review, deficiencies were found with the number of trips with excessive trip lengths. Deficiencies were also found with RTC’s long-trip standard.

RTC’s pre-review information defines an “excessively long trip” as follows:

Paratransit maximum On Board Times (OBT) are calculated based on our scheduling software system parameters that address trips of varying length and direct travel time. Any trip that exceeds the calculated maximum OBT by more than one minute is considered excessive.

RTC does not independently compare paratransit travel times with comparable fixed route travel times. FTA encourages establishment and use of travel time performance standards, such as “at least X percent of complementary paratransit trips shall have travel times equal to or less than comparable fixed route travel times,” and expects transit agencies to closely monitor trip length performance. By monitoring and analyzing trip lengths, agencies can see service issues and, if necessary, make operational adjustments to improve performance.

Table 6.5 shows the trip length distribution of the just under 24,000 trips performed during the sample week. As shown, 81 percent of trips are less than 60 minutes, an indication that most paratransit trips are likely shorter than via fixed route.

**Table 6.5 – RTC Paratransit Travel Times: September 10–17, 2017**

Trip Length	Number	Percent
<30 minutes	11,406	48%
31-59 minutes	7,932	33%
60-89 minutes	3,198	13%
90-119 minutes	1,012	4%
120+ minutes	236	1%

The review team examined a sample of the 30 longest trips by selecting every 10th trip and then compared trips to fixed route service (same addresses and departure times). Table 6.6 shows that just 20 percent of the sampled long trips were equal to or shorter than fixed route travel times and 43 percent of the sampled trips were greater than 20 minutes longer than on fixed route. This represents a potential capacity constraint.

**Table 6.6 – RTC vs. Fixed Route Travel Times: September 10–17, 2017**

Trip Length	30 Trip Sample	
	Number	Percent
Equal or shorter	6	20%
1–20 minutes longer	11	37%
21+ minutes longer	13	43%

**Corrective Action and Schedule:** Within 60 days of the issuance of the final report, RTC must establish a long-trip standard that compares paratransit trips to fixed route service and does not simply rely upon software settings to calculate travel times. RTC must use this standard in its monitoring activities to ensure trips are comparable to fixed route, with particular emphasis on very long trips.

## **No Operational Patterns or Practices Limiting the Availability of Service to ADA Paratransit Eligible Individuals**

### **Telephone Hold Times**

**Requirement:** Under 49 CFR § 37.131(f), transit agencies may not limit the availability of complementary paratransit service to ADA paratransit eligible individuals by any operational patterns or practices that significantly limit availability of service to ADA paratransit eligible people. Examples of such operational patterns or practices include insufficient capacity to take reservations, long telephone hold times, and untimely drop-offs for appointments that may limit the availability of RTC paratransit service.

**Discussion:** During this compliance review, deficiencies were found with RTC’s telephone performance for both its reservations lines and its same-day inquiry lines.

In the pre-review material, RTC provided its standards for telephone performance:

The telephone service standards are monitored and measured through hold time, talk time and service level. The service standard is to answer all reservation, certification and ride inquiry calls within 3 minutes, 80% of the time.

The RTC monitors telephone standards daily, weekly, and monthly through automated telephony reports. This data is used to ensure adequate staffing levels.

RTC customer call agents handle calls for reservations, certifications, complaints, and general information about paratransit service; these agents also accept service and complaint calls for RTC’s fixed route bus service. The “ride inquiry” lines refer to all calls for same-day paratransit activity. This includes: “Where’s my ride?” questions; same-day cancellations; and same-day trip requests. Transdev handles the ride inquiry lines. RTC’s contractor telephone performance standards differ from the standards presented above. However, RTC managers said that they use the same standards for all telephone lines, and do not use the standard in the Transdev contract.

RTC’s telephone standard is not sufficiently rigorous. As currently devised, the standard requires 80 percent of calls (both to RTC customer care agents and to Transdev agents) to be answered within three minutes. However, it sets no requirement for answering the remaining 20 percent of calls. For example, if 20 percent of calls are on hold for 10 minutes, RTC is still meeting its standard if the other 80 percent are on hold for no more than three minutes.

Examples of other transit agencies' telephone performance standards include:

- Answer all calls with two minutes
- 95 percent of calls should be answered within three minutes, and 99 percent of calls should be answered within five minutes

The review team analyzed telephone data from the sample week and for the following week. Table 6.7 shows that the inquiry lines did not meet RTC's performance standards in either week. The reservations lines met the standard in the second week (86.7 percent) but not the first week (70.9 percent).

**Table 6.7 – Weekly Telephone Performance: September 10–16 and 17–23, 2017**

Telephone Line	Calls Answered within 3 Minutes	
	September 10–16	September 17–23
Reservations (RTC)	69.8%	86.7%
Same-day inquiries (Transdev)	47.3%	64.9%

While RTC observes telephone performance in real time, data from the analyzed weeks indicates patterns of poor telephone performance. For example, during the 7 to 8 a.m. hour—the first hour that reservation lines are open—hold time performance for reservations lines did not meet RTC's standard on 12 of 14 days (eight weekdays and all four weekend days). Performance was below 60 percent for nine days during 7 to 8 a.m. hour.

For 12 of the 14 days, performance on the inquiry lines did not meet RTC's standard. In 161 of 336 hours (47.9 percent) hold times exceeded the standard.

**Corrective Actions and Schedule:** Within 60 days of the issuance of the final report, RTC must provide sufficient capacity to promptly answer telephone calls during all service hours.

#### **Untimely Drop-offs for Appointments**

**Requirement:** Under 49 CFR § 37.131(f), transit agencies may not limit the availability of complementary paratransit service to ADA paratransit eligible individuals by any operational patterns or practices that significantly limit availability of service to ADA paratransit eligible people. Examples of such operational patterns or practices include insufficient capacity to take reservations, long telephone hold times, and untimely drop-offs for appointments.

**Discussion:** During this compliance review, deficiencies were found with RTC's drop-off performance.

RTC's pre-review information included the following standard and monitoring procedure for on-time drop-off performance:

There is no contractual standard for drop-off performance; operationally the RTC requests [on-time performance for trips with appointment times] of 90% or higher; the contractor receives an incentive on all contractual [Key Performance Indicators].

RTC provided the review team with drop-off statistics for the six-month period between April and September 2017. Table 6.8 summarizes the data, which shows on-time drop-off performance between 91 and 92 percent from April through July with a decline in performance in August and September. The data also shows a consistent pattern of drop-offs more than 30 minutes early; the six-month average was 28.3 percent.

**Table 6.8 – Monthly On-Time Drop-off Performance for RTC Trips: April – September 2017**

	Apr	May	Jun	Jul	Aug	Sep	Avg.
Trips	29,743	32,899	32,926	31,493	35,440	33,533	32,672
<b>All late</b>	<b>8.7%</b>	<b>7.9%</b>	<b>8.5%</b>	<b>8.0%</b>	<b>11.3%</b>	<b>13.2%</b>	<b>9.6%</b>
1–15 minutes late	7%	7%	7%	6%	9%	10%	7.5%
16–30 minutes late	2%	1%	2%	2%	3%	3%	2.1%
<b>All on-time/early</b>	<b>91%</b>	<b>92%</b>	<b>92%</b>	<b>92%</b>	<b>89%</b>	<b>87%</b>	<b>90.4%</b>
0–15 minutes early	28%	27%	27%	26%	29%	29%	27.7%
16–30 minutes early	35%	35%	35%	35%	33%	32%	34.3%
>30 minutes early	28%	30%	29%	31%	27%	26%	28.3%

The review team independently examined the more than 8,100 trips with appointment times performed during the sample week. Table 6.9 shows that 85.3 percent of the trips were on-time or early and 12.9 percent of the trips were late. In addition, 26.2 percent of drop-offs were more than 30 minutes early. Consistent with the monthly data presented above, this represents a considerable number of very early drop-offs and is a potential capacity constraint that could act to discourage use of the system. FTA encourages policies to drop off riders no more than 30 minutes before appointment times.

See Section 6.10 for a discussion of on-time drop-off performance monitoring.

**Table 6.9 – On-Time Drop-off Performance for RTC Trips: September 10–16, 2017**

	All Trips	
	Number	Percent
Trips	8,180	100%
<b>All late</b>	<b>1,055</b>	<b>12.9%</b>
1–15 minutes late	793	9.7%
16–30 minutes late	195	2.4%
<b>All on-time/early</b>	<b>7,125</b>	<b>87.1%</b>
0–15 minutes early	2,374	29.0%
16–30 minutes early	2,605	31.8%
>30 minutes early	2,146	26.2%

**Corrective Actions and Schedule:** Within 60 days of the issuance of the final report, RTC must reduce the number of untimely drop-offs for trips with appointment times. RTC must also reduce the number of substantially early drop-offs.

## 6.5 Subscription Service

**Requirement:** Under 49 CFR § 37.133, transit agencies are permitted (but not required) to provide subscription service (pre-arranged trips at a particular time not requiring individual trip reservations for each trip). If provided, however, subscription service may not comprise more than 50 percent of the available trips at any given time unless the system is experiencing no capacity constraints.

**Discussion:** During this compliance review, no deficiencies were found with the requirements concerning the provision of subscription trips as part of the ADA paratransit program or with how the transit agency communicates this requirement to eligible riders and potential users of the service.

RTC offers subscription service but does not approve subscription requests. RTC accepts three categories of subscription requests: at least three times each week, at least two times during the week or at least once on weekends.

The review team did not identify specific periods during the week when there were capacity constraints and subscription service comprised more than 50 percent of the available capacity.

## 6.6 Reasonable Policies for Proposed Service Suspensions for Missing Scheduled Trips and the Right to Appeal

**Requirements:** 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 agencies 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 within less than 1–2 hours of the scheduled trip time. If riders do not show up for the outgoing portions of round trips, transit agencies cannot automatically assume that the return trip is not needed.

Under 49 CFR § 37.125(h)(1), trips missed by riders for reasons beyond their control, including trips missed due to operator or transit agency error, must not form a transit agency’s basis for determining that such a pattern or practice exists. The transit agency’s policies must therefore distinguish between no-shows that are within the rider’s control and those that are not, and propose sanctions only on the basis of the former. In order to establish whether a rider has engaged in a pattern or practice of missing scheduled trips, the transit agency must also account for a passenger’s frequency of use. The appeal process required under § 37.125(g) must be available to an individual on whom sanctions have been imposed, and the sanction must be stayed pending the outcome of the appeal.

**Discussion:** During this compliance review, deficiencies were found with RTC’s process for appealing proposed suspensions of service. No deficiencies were found with the requirements concerning the RTC’s no-show and late cancellation policies, the reasonableness of proposed suspension periods, or with how RTC communicates these requirements to eligible riders and potential users of the service. An advisory comment is made regarding how RTC explains no-show in its Rider’s Guide.

RTC’s policies and procedures regarding no-shows are explained in an internal document titled, “New RTC No Show Policy for ADA Paratransit” and on pages 17–18 of the Riders’ Guide, which define a no-show as:

- When a customer does not board the vehicle within five minutes of the vehicle’s arrival, or
- When a customer cancels a ride within the 30-minute ready window

RTC’s definition of a no-show does not state that vehicles must wait five minutes within the 30-minute pickup window. RTC staff indicated—and the review team verified through observations—that arrival of the vehicle within the window is assumed and used in practice.

A late cancellation is defined as “when a customer cancels a trip less than two hours before the start of the 30-minute ready window.” RTC assesses riders with no-shows one penalty point and those who cancel trips late (less than two hours before the start of the ready window) a half point.

Riders are considered to have a pattern or practice of an excessive number of combined no-shows and late cancellation if they:

1. Accumulate more than three points in a 30-day period, and
2. Don’t show up or cancel late 10 percent or more of the trips they schedule in the period

RTC’s policy uses the following progression of warnings and suspensions for initial and subsequent patterns or practices on no-shows and late cancellations:

- First violation: customer receives a warning letter
- Second violation: 7-day (1-week) suspension
- Third violation: 14-day (2-week) suspension (loss of subscription)
- Fourth violation: 21-day (3-week) suspension (loss of subscription)



- Fifth violation: 28-day (4-week) suspension (loss of subscription)
- Subsequent violations will increase by a week (loss of subscription)

The number of violations accumulates during each calendar year and resets at the end of the calendar year.

Riders can contact RTC if they feel that a no-show or late cancellation was recorded in error. They can also call and explain the circumstances if the no-show or late cancellation is beyond their control. RTC excuses instances beyond the rider's control or due to RTC errors. RTC's daily letters communicating no-shows and late cancellations remind riders of the suspension policy and invite recipients to contact RTC.

Immediately after the end of each calendar month, RTC generates a list of all riders with accumulated no-shows and late cancellations that violate RTC's policy. RTC internally reviews and verifies the trips in question to confirm proper coding and to remove any excused no-shows or late cancellations.

Once the information is confirmed and updated, RTC sends suspension letters on the 11<sup>th</sup> of each month. Letters inform riders of their right to appeal the proposed suspension; RTC uses a two-tiered appeal process. Riders can call RTC and request an internal operations staff review (by the 18<sup>th</sup> of the month), which leads to further confirmation that the trips indeed violated the policy. For those still facing suspensions, riders must submit a written appeal request. The Director of Paratransit & Specialized Services reviews and decides such appeals.

The appeal process available to individuals who establish a pattern or practice of missing scheduled trips must be the same as for eligibility appeals, including an opportunity to be heard in person and by someone not involved functionally with the initial decision to suspend riders. RTC's no-show suspension appeal process does not meet this requirement.

As discussed in Section 6.4 under No Substantial Numbers of Trip Denials or Missed Trips, RTC thoroughly reviews and corrects trips coded as no-shows that are actually missed trips for any riders facing potential suspensions.

**Corrective Action and Schedule:** Within 60 days of the issuance of the final report, RTC must provide to FTA for review a revised no-show suspension appeal process that allows for appellants to be heard in person and provides appropriate separation of function between those proposing the suspensions and those hearing the appeals.

**Advisory Comment:** It is an effective practice to define no-shows that accurately reflect the way they are understood and treated in operations. This means revising the current definition to indicate that a no-show occurs "when a customer does not board the vehicle within five minutes of the vehicle's arrival within the 30-minute pickup window."

## 6.7 Complaint Resolution and Compliance Information

**Requirements:** Under 49 CFR §§ 27.13(a) and 37.17(a), the transit agency must designate at least one person to coordinate its efforts to comply with the nondiscrimination requirements contained in DOT ADA regulations.

Under 49 CFR §§ 27.13(b) and 37.17(b), the agency must adopt procedures that incorporate appropriate due process standards and provide for the prompt and equitable resolution of complaints. This includes sufficiently advertising to the public the process for filing a complaint. Public advertising will typically include the agency's website. The complaint procedures must be accessible to and usable by individuals with disabilities. Finally, the agency must promptly communicate its response to the complaint allegations, including its reasons for the response, to the complainant by a means that will result in documentation of the response.

Under 49 CFR § 27.121(b), the agency must keep all complaints of noncompliance on file for one year and a record of all such complaints (which may be in summary form) for five years. Establishing these policies and procedures is the responsibility of the transit agency, not its contractors.

**Discussion:** During this compliance review, no deficiencies were found with RTC's complaint response procedures.

RTC has designated its Director of Paratransit & Specialized Services to coordinate ADA compliance. RTC internally manages a robust customer complaint tracking system, which links to its paratransit software. Those wishing to complain may call or mail RTC directly or use RTC's website. RTC enters complaint data (telephone, mail, or web-based) via an electronic form. During caller communications (and the web form), RTC asks riders if they wish to receive a resolution response, which RTC works to provide promptly. RTC forwards operations complaints to Transdev with a requirement to complete the investigation within 10 days. Transdev's manager responsible for complaint investigations stated that he strives to turn each case around in 1-2 days and contacts all customers for whom he has a phone number, even customers that did not ask for a response. Once the complaint is resolved, RTC then follows up with all complainants. RTC has extensive records of complaints extending back for more than five years.

## 6.8 Nondiscrimination

**Requirement:** Under 49 CFR § 37.5, transit agencies are prohibited from discriminating against an individual with a disability in connection with the provision of transportation service, or deny any individual with a disability the opportunity to use the transportation services it provides to the general public. Discriminatory practices include and are not limited to requiring the use of alternate transportation services, requiring persons with disabilities to be accompanied by an attendant, imposing user fees or special charges upon people with disabilities and requiring people with disabilities to use designated priority seating.

**Discussion:** During this compliance review, no deficiencies were found with RTC's procedures for service suspensions due to rider conduct. No deficiencies were found with RTC's public information or with policies related to alternate transportation services, requiring persons with disabilities to be accompanied by an attendant, imposing user fees or special charges upon people with disabilities and requiring people with disabilities to use designated priority seating. Advisory comments are made about informing riders each time they violate RTC's code of conduct and service suspensions for riders whose behavior poses a direct threat to the health and safety of others.

49 CFR § 37.5(h) permits transit agencies to refuse service to an individual with disabilities because that individual engages in violent, seriously disruptive, or illegal conduct, or constitutes a direct threat to the health or safety of others. Overlap among these four thresholds is common and therefore FTA recommends agencies consider them as a unit. Rarely is violent behavior such as physical assault, for example, not also seriously disruptive, illegal, and a direct threat. Consider another example: a verbal outburst directed at a driver or other passengers may start out as seriously disruptive but become so threatening as to prevent a driver from safely operating the vehicle and, therefore, rise to a direct threat as well.

It can be especially challenging to assess whether rider behavior rises to the level of "seriously disruptive." Given that a service refusal can be a denial of a civil right, the threshold for seriously disruptive conduct, like the other denial bases, is an intentionally high standard. A transit agency cannot refuse service to individuals with disabilities solely because their appearance or involuntary behavior may offend, annoy, or inconvenience employees or other riders. As discussed in [Appendix D](#) to § 37.5, "some persons with Tourette's syndrome may make involuntary profane exclamations. These may be very annoying or offensive to others, but would not be a ground for denial of service." As another example, many agencies have asked FTA for guidance on serving riders with hygiene issues. It would not be



appropriate to refuse service if the situation were merely unpleasant to other passengers or drivers. If the situation disrupts the provision of service, however, grounds for refusing service may exist.

### **RTC ADA Paratransit/Fixed Route Illegal and Disruptive Behavior Policy**

At the time of the site visit, RTC had a set of policies and procedures (revised October 2015) for suspending riders for conducting illegal and/or disruptive behavior. These policies and procedures applied to both fixed route bus and paratransit service. All prohibited behaviors and required actions appear reasonable. Furthermore, the policy states “RTC recognizes that an individual’s disability or medical condition may cause a passenger to unknowingly and/or unintentionally violate the Illegal and Disruptive Behavior Policy. For this reason, the RTC looks at each violation individually.”

At the time of the site visit, RTC was proposing a new “Passenger Code of Conduct Policy” and was planning to implement the policy by early 2018. Similar to the existing policies and procedures, the policy would apply to both fixed route and paratransit service. Riders who violate the policy more than once “may be subject to graduated suspensions, with each subsequent violation increasing suspension by one (1) week, from transit service depending on the severity of the violation(s) in question and the individual’s history of violations. Suspensions from transit service range from one (1) week to indefinite suspension and/or removal from RTC facilities.” The new policy does not acknowledge that suspensions cannot be permanent unless an individual continues to pose a direct threat to the health or safety of others.

### **RTC Suspension Letters**

According to RTC’s customer care manager, RTC personalizes letters for warning or suspending riders for disruptive behavior (i.e., no templates). Attached to each letter are the RTC policies for illegal and disruptive behavior, which include the steps in progressive discipline and the procedures for appealing a suspension.

The RTC customer care manager noted that, for riders affiliated with one of the work programs the state’s Desert Regional Center (DRC) sponsors, a representative of DRC often meets with RTC, the rider, and (if appropriate) the rider’s guardian, to try to resolve the disruptive behavior. RTC keeps internal notes (in its Trapeze client data module), but it does not always send a letter to the rider unless it chooses to suspend the rider for the behavior displayed in the particular incident.

**Advisory Comments:** It is an effective practice to inform riders of each instance that violates the agency’s code of conduct and offer an opportunity to respond to the allegations. It is also an effective practice to explain that suspensions may not be permanent unless an individual continues to pose a direct threat to the health or safety of others.

## **6.9 Training Requirements**

**Requirement:** Under 49 CFR § 37.173, each public or private entity which operates a fixed route or demand responsive system shall ensure that personnel are trained to proficiency, as appropriate to their duties, so that they operate vehicles and equipment safely and properly assist and treat individuals with disabilities who use the service in a respectful and courteous way, with appropriate attention to the difference among individuals with disabilities.

**Discussion:** During this compliance review no deficiencies were found with the requirement to train personnel to proficiency as appropriate to their duties or with how RTC communicates, manages and/or oversees training requirements with staff or contractors. An advisory comment is made regarding eligibility staff training for consistency.

RTC employees oversee the ADA paratransit eligibility process and handle reservations and other customer calls. Transdev employees provide the service and handle same-day ride inquiries.

### **RTC Training**

RTC provides a two- to three-week training program for new customer care representatives on how to use the paratransit software and work with customers. Call taking is a multi-week process, first working with a veteran and then working in teams until fully trained. Employees are in a probationary period for the first six months.

As discussed in Section 6.2 under Written Eligibility Determinations Including Specific Reasons for Denials or Temporary or Conditional Eligibility Determinations, the review team noted that Eligibility Technicians might inconsistently apply standards during interviews and functional assessments. This is a potential training issue that warrants further investigation.

### **Transdev Training**

Contractor employee training is based on Transdev's corporate training program, but customized to RTC. New drivers receive 64 hours of classroom and then 50 hours of in-vehicle training. Then they begin solo runs at 85 percent of a full schedule. Transdev holds follow-up safety meetings once per month.

Transdev's program focuses on mobility device training because they believe Las Vegas has more riders using wheelchairs and scooters than anywhere else. The program also includes a site visit to the MTC for a tour and presentation by Blind Connect to learn about visual impairments, the eligibility certification process, and lift deployment.

**Advisory Comment:** It is an effective practice to ensure employees conducting eligibility interviews and functional assessments receive the same training and even re-training if analysis of outcomes shows disparate results.

## **6.10 Service Under Contract with a Private Entity**

**Requirement:** Under 49 CFR § 37.23, transit agencies must ensure that any private entity with which it has entered into a contract or other arrangement to provide complementary paratransit service meets all the obligations of the DOT ADA regulations, including those for service provision and vehicle acquisition, that the transit agency would be required to meet, if it provided the service directly.

Transit agencies must have policies and procedures in place to monitor contractors' performance and ensure that contractors meet the requirements. Transit agencies are not permitted to neglect monitoring or to limit their monitoring to the terms and conditions of contract or other arrangements with the private entity or entities.

**Discussion:** During this compliance review, no deficiencies were found with RTC procedures for monitoring its contractors. An advisory comment is made regarding monitoring drop-off performance.

RTC uses a private contractor (Transdev) for paratransit service scheduling, dispatching, driving, and vehicle maintenance. Contractor oversight includes analyzing a series of daily performance reports for on-time pickups and drop-offs, same-day service, and daily operations. Monthly reports document route productivity, costs, and safety. RTC has field inspectors who observe drivers at common pickup and drop-off locations. RTC observes drivers performing pre- and post-trip inspections and its safety and security team audits Transdev's driver training program.

As discussed in Section 6.4 under Untimely Drop-offs for Appointments, RTC's contract with Transdev includes a 90 percent on-time drop-off performance goal standard with an incentive for higher performance. RTC does not impose any penalties for failure to meet the goal. The review team's analysis identified deficiencies due to the number of untimely drop-offs and the number of very early drop-offs.

**Advisory Comment:** It is an effective practice to establish contractual standards to ensure timely drop-offs for trips with appointment times, and ensure drop-offs do not occur very early.

## 6.11 Service Provided by Another Public Entity

**Requirement:** 49 CFR Part 37 applies to any public entity that provides designated public transportation or intercity or commuter rail transportation. Under 49 CFR § 37.21(b), for entities receiving Federal financial assistance from the Department of Transportation, compliance with the applicable requirements of 49 CFR Part 37 is a condition of § 504 of the Rehabilitation Act of 1973 and of receiving financial assistance. Where a transit agency relies on another public entity to provide complementary paratransit service on its behalf, the transit agency remains responsible for meeting the requirements of 49 CFR Part 37. In other words, a transit agency must ensure that the service provided on its behalf meets all of the requirements that the transit agency would be required to meet, if the transit agency provided the service directly.

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

**Discussion:** During this compliance review, no deficiencies were found this requirement. RTC does not contract with any public agencies.

## 6.12 Coordination of Service

**Requirement:** Under 49 CFR § 37.139(g), public transit operators were required to address efforts to coordinate service with other fixed route operators with overlapping or contiguous service areas or jurisdictions when developing their complementary paratransit plans. Coordination is an ongoing process; while these efforts are likely to have evolved over time, it is expected that such transit agencies will have a mechanism in place to ensure that complementary paratransit riders have an ability to make interjurisdictional trips on a comparable basis to individuals using the fixed route system.

**Discussion:** During this compliance review, no deficiencies were found with how RTC coordinates service with other fixed route operators with overlapping or contiguous service areas or jurisdictions.

## Summary Table of Compliance Review Findings

Item	Part 27 or 37 or 38 Requirement	Reference	Site Visit Finding deficiency/no deficiency or advisory comment	Finding(s) of Deficiency/Exit Meeting Notes	Response Days/ Date
1	Comparable complementary paratransit service	37.121	No deficiencies		
2	Absence of administrative burden	37.125 & 37.5	No deficiencies		
3	ADA paratransit eligibility standards	37.123(e) (1)-(3)	2 deficiencies Advisory comment	Eligibility process does not consider path of travel barriers for applicants using powered wheelchairs  Assessments of ability to cross streets, travel up to ¾ mile and to travel outdoors are not sufficiently representative	60/June 2018  60/June 2018
4	Accessible information	37.125(b)	No deficiencies		
5	Eligibility determinations within 21 days	37.125(c)	Advisory comments		
6	Written eligibility determinations including specific reasons for denials or temporary or conditional eligibility	37.125(d)(e)	Deficiency	Eligibility letters granting conditional or temporary eligibility do not state the specific reasons for such determinations	60/June 2018
7	Recertification of eligibility at reasonable intervals	35.125(f)	Advisory comment		
8	Administrative appeals process for denials and conditional eligibility	37.125(g)	2 deficiencies	Appeal hearings are not scheduled promptly.  Appeal decision letters do not adequately explain the reasons for the decisions	60/June 2018  60/June 2018

Item	Part 27 or 37 or 38 Requirement	Reference	Site Visit Finding deficiency/no deficiency or advisory comment	Finding(s) of Deficiency/Exit Meeting Notes	Response Days/ Date
9	Complementary paratransit for visitors	37.127	2 deficiencies	Documentation of disability is required for individuals not certified by other transit agencies but who have apparent disabilities Application requirements for visitors with eligibility from another agency require documentation from the home agency rather than directly from visitors	60/June 2018  60/June 2018
10	Types of service	37.129	No deficiencies		
11	Service area	37.131(a)	No deficiencies		
12	Response time	37.131(b)	Deficiency	Trips that customer care agents cannot confirm during reservations calls requiring subsequent call backs constitute a prohibited waiting list	60/June 2018
13	Fares	37.131(c)	No deficiencies		
14	No trip purpose restrictions	37.131(d)	No deficiencies		
15	Hours and days of service	37.131(e)	No deficiencies		
16	Absence of capacity constraints	37.131(f)	See below		
17	No restrictions on the number of trips provided to an individual	37.131(f)(1)	No deficiencies		
18	No waiting list for access to the service	37.131(f)(2)	Advisory comment		

Item	Part 27 or 37 or 38 Requirement	Reference	Site Visit Finding deficiency/no deficiency or advisory comment	Finding(s) of Deficiency/Exit Meeting Notes	Response Days/ Date
19	No substantial numbers of significantly untimely pickups for initial or return trips	37.131(f) (3)(i)(a)	No deficiencies		
20	No substantial numbers of trip denials or missed trips	37.131(f) (3)(i)(b) 37.131(3)(1) (b)	Advisory comment		
21	No substantial numbers of trips with excessive trip lengths	37.131(f) (3)(i)(c)	2 deficiencies	Improper long-trip standard Very long trips are longer than via fixed route	60/June 2018 60/June 2018
22a	No operational patterns or practices significantly limiting service availability (telephone hold times)	37.131(f)	1 deficiency	Hold times during certain periods are excessively long	60/June 2018
22b	No operational patterns or practices significantly limiting service availability (untimely drop-offs)	37.131(f)	2 deficiencies	Excessive rate of late drop-offs Excessive rate of very early drop-offs	60/June 2018 60/June 2018
23	Subscription Service	37.133	No deficiencies		
24	No-show, late cancel and reasonable service suspension & appeal policies	37.125(h) (1)-(3)	2 deficiencies	Suspension appeals do not include the right to an in-person hearing Appeal reviews do not include the proper separation of function	60/June 2018 60/June 2018
25	Complaint Resolution & Compliance Information	27.13(a)(b) & 27.121	No deficiencies		
26	Nondiscrimination	37.5	Advisory comments		
27	Training	37.173	No deficiencies		

<b>Item</b>	<b>Part 27 or 37 or 38 Requirement</b>	<b>Reference</b>	<b>Site Visit Finding deficiency/no deficiency or advisory comment</b>	<b>Finding(s) of Deficiency/Exit Meeting Notes</b>	<b>Response Days/ Date</b>
28	Service under contract with a private entity	37.23	Advisory comment		
29	Service provided by another public entity	37.21(b)	Not applicable		
30	Coordination of service	37.139(g)	Not applicable		





**Attachment A**  
**FTA Notification Letter to RTC**





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

Headquarters

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

October 3, 2017

Ms. Tina Quigley  
General Manager  
RTC of Southern Nevada  
600 S. Grand Central Pkwy. Ste. 350  
Las Vegas, NV 89106

Dear Ms. Quigley:

The Federal Transit Administration (FTA) is responsible for ensuring compliance with the Americans with Disabilities Act of 1990 (ADA) and the Department of Transportation's (DOT) implementing regulations at 49 CFR Parts 27, 37, 38 and 39 as they apply to public transportation. As part of its ongoing oversight efforts, FTA through its Office of Civil Rights conducts a number of on-site ADA compliance reviews of grant recipients. RTC of Southern Nevada (RTC) has been selected for a review of ADA paratransit service to take place from November 13–16, 2017.

The purpose of this review will be to determine whether RTC is meeting its obligations to provide paratransit service as a complement to their fixed route services in accordance with the service criteria and eligibility requirements contained in Subpart F of 49 CFR Part 37, and other related requirements contained in 49 CFR Parts 27, 37 and 38.

The review process includes data collection prior to the site visit, an opening conference, an on-site analysis of the ADA complementary paratransit service, and an exit conference. The entire on-site portion of the review will be completed over seven working days. FTA has engaged the services of the Collaborative, Inc. (the Collaborative) of Boston, MA to conduct this compliance review. As part of the review, the following FTA contractor personnel will be granted temporary access to your TrAMS account: William Schwartz, Russell Thatcher, and David Chia. Please do not remove these individuals. FTA will do so at the close of the review. The Collaborative team and FTA representatives will participate in the opening and exit conferences, with FTA participating by telephone.

We request an opening conference at **9 a.m. Pacific on Monday November 13, 2017**, to introduce the Collaborative team and FTA representatives to RTC, including you or your designee, representatives responsible for ADA paratransit eligibility and paratransit operations, and other key staff. During the opening conference, the review team members will present an overview of the on-site activities.

Because review team members will spend considerable time on site during the week, please provide them with temporary identification and a workspace within or near the RTC offices for the duration of their visit. Please let us know if you will designate a member of your staff to serve as RTC's liaison with the review team and will coordinate the site visit and address questions that may arise during the visit.

So that we may properly prepare for the site visit, we request that you provide the information described in Enclosures 1 and 2. Enclosure 1 consists of items that the Collaborative must receive by **October 25, 2017**. These materials should be forwarded to:

Bill Schwartz  
Sr. Vice President  
The Collaborative, Inc.  
122 South Street  
Boston, MA 02111  
617-306-9466  
wschwartz@thecollaborative.com

Enclosure 2 consists of items that the Collaborative team will review on site beginning on November 13, 2017 after the opening conference.

We request the exit conference be scheduled for **12 Noon Pacific Thursday November 16, 2017**, to afford an opportunity for the reviewers to discuss their observations with you and your agency. We request that you or your designee, the director of ADA Paratransit service, each grantee's ADA coordinator, and other key staff attend the exit conference. The FTA Office of Civil Rights will make findings and will provide them to you in a draft report. You will have an opportunity to correct any factual errors before FTA finalizes the report. The Draft and Final Reports, when issued to RTC, will be considered public documents subject to release under the Freedom of Information Act, upon request.

RTC representatives are welcome to accompany the review team during the on-site activities, if you so choose. If you have any questions or concerns before the opening conference, please contact John Day, Program Manager for this compliance review, at 202-366-1671 or via e-mail at [john.day@dot.gov](mailto:john.day@dot.gov).

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

Sincerely,



John Day  
Program Manager for Policy  
and Technical Assistance

Enclosures

cc: Leslie Rogers, Regional Administrator, FTA Region IX  
Lynette Little, Regional Civil Rights Officer, FTA Region IX  
William Schwartz, the Collaborative, Inc.  
Sherwin John Gutierrez, TrAMS User Manager, RTC of Southern Nevada

**Enclosure 1**

**The following information must be submitted to the Collaborative by October 25, 2017.**

1. A description of how complementary paratransit service is structured and provided, including:
  - How trip requests/reservations are handled (by contractors?) and the location/address where reservations are taken
  - How trips are scheduled (by contractors?) and the location/address where scheduling is done
  - How dispatching is handled (by contractors?) and the location/address of the central dispatch offices

Note that the Collaborative may contact you in advance to discuss this first question.

2. Copies of any current contracts or agreements with other entities for complementary paratransit eligibility, operations, or other related services
3. A copy of all rider guides, service brochures, or other documents that explain to the public and eligible riders how trips are requested and how service is provided
4. Information on the following complementary paratransit service standards and definitions:
  - Definition of an “on-time” trip
  - Standard for on-time pickup performance and how it’s tracked and reported
  - Standard for on-time drop-off performance and how it’s tracked and reported
  - Standards for an acceptable numbers or percentages of ADA trip denials
  - Definition of an “excessively long trip”
  - Standard for long-trip performance and how it’s tracked and measured
  - Telephone service standards by call type as applicable (reservations, dispatch, eligibility appointments, etc.), and how it’s tracked and measured
  - Do you make any such definitions or standards public?
5. Policies and procedures for requesting and granting reasonable modifications
6. Samples of driver manifests (described in Item #1 of Enclosure 2) and samples of records, reports, or tabulations of the complementary paratransit information (described in Item #2 of Enclosure 2)
7. Capital and operating budget and expenditures for complementary paratransit service for the four most recent fiscal years, including the current fiscal year
8. The number of complementary paratransit trips scheduled and provided, and trips denied for the four most recent fiscal years, including the current fiscal year
9. Three copies of the fixed route system map

## Enclosure 2

We request that the following information and/or assistance be available at the **beginning of the site visit**:

1. Copies of (or electronic access to) completed driver manifests for the most recent six-month period
2. The following complementary paratransit data, by month, for the last six months (paper copies or electronic access):
  - Trips requested
  - Trips scheduled
  - Trips denied
  - Canceled trips
  - Passenger no-shows
  - Carrier missed trips
  - Trips provided
  - A listing of trips denied each month showing customer's name, origin, requested destination, day and time, and if the person was ambulatory or used a wheelchair
  - On-time performance information (pickups and drop-offs)
  - A listing of trips longer than 60 minutes showing the customer name, origin, destination, day and time, if the customer was ambulatory or used a wheelchair, and the total time on-board
  - A listing of passenger no-shows and carrier missed trips for last month 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 record of complaints from the past year related to the ADA paratransit eligibility process, provision of complementary paratransit service or other complaints of discrimination. Provision of service complaints should include all complaints related to trip denials, missed trips, wait lists, trip caps, trip restrictions or limits, on-time performance, lengthy trips, phone capacity issues, etc. showing the customer's name, trip origin, date and type of complaint, and transit agency resolution (any corrective actions requested and taken)
4. The following ADA paratransit eligibility information:
  - Copy of a blank application form
  - Copies of eligibility guidelines and policies and any assessment or interview forms
  - Sample letters of all types of determination (unconditional, conditional, temporary, trip eligible (if applicable) and
  - Other letters related to receipt of applications, incomplete applications, eligibility appeals and other eligibility issues
  - Total number of ADA paratransit eligible individuals
  - Access to eligibility files and appeals records

## RTC of Southern Nevada: ADA Complementary Paratransit Compliance Review

- For the most recent 12 months:
  - Number of applications received
  - Number of completed applications considered and processed
  - Number of applications determined incomplete
  - Number of people determined unconditional eligible
  - Number of people determined conditionally eligible
  - Number of people determined temporarily eligible
  - Number of people determined ineligible
- 5. Procedures for counting and verifying passenger no-shows and carrier missed trips
- 6. Any documentation of policies, procedures and correspondence related to service suspensions for missing scheduled trips (i.e., passenger no-shows and/or late cancellations)
- 7. Work shift assignments for reservationists (call-takers), schedulers, dispatchers, and drivers
- 8. Access to personnel records showing hire and termination dates for reservationists (call-takers), schedulers, dispatchers, drivers, and road supervisors
- 9. Current complementary paratransit fleet roster with vehicle type, make and model year and odometer reading (designating whether the vehicles are accessible or inaccessible), numbers of accessible and inaccessible spares. For each accessible vehicle, please include the design load of the lift or ramp
- 10. Run structure (vehicles in service by hour of day)
- 11. Access to the most recent six months of daily vehicle pullout records showing late pullouts and closed runs
- 12. Vehicle availability reports for most recent six months
- 13. Assistance with viewing and capturing parameters used in the scheduling software
- 14. Assistance with viewing and collecting data on vehicle run structures and peak pullout requirements
- 15. Subscription trips by hour
- 16. Training curricula for each type of complementary paratransit employee
- 17. Procedures for providing information and communications in accessible formats





**Attachment B**  
**RTC Response**





600 S. Grand Central Parkway | Suite 350, Las Vegas, NV 89106

rtcsonv.com | 702.676.1500 |     

April 5, 2018

Attn: John Day  
U.S. Department of Transportation  
Federal Transit Administration  
1200 New Jersey Ave., SE, Room E-54-310  
Washington, DC 20590

Dear Mr. Day:

Thank you for providing the draft report and the opportunity to bring to the FTA's attention "factual errors" / corrections. The following are the corrections the RTC has identified in the FTA's draft review:

- Factual Error - Page 3, Section 1 – General Information – On Site Liaison - Sherwin Gonzalez
  - Correction – Sherwin Gutierrez
- Factual Error – Page 12 & 13, Section 5.2 – Methodology – Kenneth Rodriguez, Customer Care Manager, RTC
  - Correction – Kenneth Rodriguez
- Factual Error – Page 17, Eligibility Process – 3<sup>rd</sup> paragraph from the bottom of page – four-lane
  - Correction – Six-lane or 130 feet
- Factual Error – Page 17, Eligibility Process – 3<sup>rd</sup> paragraph from the bottom of the page – two-lane
  - Correction – four-lane or 50 feet
- Factual Error – Page 17, Eligibility Process – 2<sup>nd</sup> paragraph from the bottom of the page – Assessors are permitted to escort applicants outside to observe ability to travel more than 1/4 mile; however, this is rarely done.
  - Correction – 264 feet of the RTC's Functional Assessment ¼ mile course is conducted outdoors.
- Factual Error – Page 18, Examination of Sample Eligibility Decisions – 1<sup>st</sup> bullet – The assessors indicated the applicants completed the indoor course with no issues.
  - Correction – the course is indoor and outdoor
- Factual Error – Page 18, Examination of Sample Eligibility Decisions – 1<sup>st</sup> bullet – They observed the applicants going up and down the curb ramps along the course, but left the portion of the assessment for that asks if applicants can step onto a curbed sidewalk blank.
  - Correction – The RTC does not require applicants in mobility devices to step onto a curbed sidewalk and that is why it is left blank.
- Factual Error – Page 18, Examination of Sample Eligibility Decisions – 1<sup>st</sup> bullet – Assessors focused on the applicants' ability to navigate only the accessible indoor course.
  - Correction – The functional assessment conducted by an assessor includes an indoor and outdoor portion totaling 264 feet of the ¼ mile course.

- Factual Error – Page 18, Examination of Sample Eligibility Decisions – 2<sup>nd</sup> bullet – All five had difficulty crossing the shorter (two-lane) mock street crossing and the four-lane crossing.
  - Correction – The (two-lane) is a four-lane crossing or 50 feet and the four-lane is a six-lane crossing or 130 feet.
- Factual Error – Page 19, Examination of Sample Eligibility Decisions – 1<sup>st</sup> paragraph following 1<sup>st</sup> bullet – paragraph references indoor course.
  - Correction – The functional assessment conducted by an assessor includes an indoor and outdoor portion totaling 264 feet of the ¼ mile course.
- Factual Error – Page 19, Corrective Actions and Schedule – 4<sup>th</sup> bullet – A more complete determination of an applicant's ability to travel outdoors, not just the ability to complete the controlled indoor course.
  - Correction - The functional assessment conducted by an assessor includes an indoor and outdoor portion totaling 264 feet of the ¼ mile course.
- Factual Error – Page 29, Denials – (eight each in 2015 and 2015 and 31 in 2017)
  - Correction – 2016

That concludes the factual errors and corrections the RTC found. Please contact me if you have additional questions. The RTC looks forward to the FTA's updated document.

Sincerely,



Tina Quigley  
General Manager

**Attachment C**  
**RTC Rider Guide**





2017 – 2018

# ***Paratransit*** ***RIDERS' GUIDE***







# ***Welcome*** to

## ***REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA'S ADA PARATRANSIT SERVICES***

Americans with Disabilities Act of 1990 (ADA) Paratransit Services is a shared-ride, public transportation service for people with disabilities, as required by federal law, who are functionally unable to independently use the RTC fixed route services.

The RTC strives to provide safe and reliable service for all members of the community, and is committed to providing customers with the most up-to-date information available.

You will find within this guide information you will need to use the RTC ADA Paratransit Services.

Please review this information carefully. If you have any questions, feel free to call Customer Care at (702) 228-4800 or for the hearing impaired (702) 676-1834 (TDD). For more information visit [rtcsnv.com](http://rtcsnv.com)



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## ***Hours of Operation & Service Area***

RTC ADA Paratransit Service operates  
24 hours a day, 365 days per year.

The system operates within  $\frac{3}{4}$  of a mile from the RTC fixed-route system as required under the ADA. Areas that are not serviced by the RTC fixed route bus system may not have service through the RTC ADA Paratransit Services.

Nellis Air Force Base is within the RTC service area and permits drop off and pick up at designated areas only. Please ask the Customer Care agent where you may be dropped off at the base when scheduling your reservation. Customers must have a valid military identification card in their possession to access transit to/from Nellis Air Force Base.

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## ***Holiday Schedules***

RTC ADA Paratransit operates with limited service on the following holidays:

**New Year's Day**

**Martin L. King, Jr. Day**

**Presidents' Day**

**Memorial Day**

**Independence Day**

**Labor Day**

**Nevada Day**

**Veterans Day**

**Thanksgiving Day**

**Christmas Day**

Subscription service **does not** operate on holidays (except for dialysis appointments). All subscription trips, other than dialysis, are automatically cancelled without assessment of points to the customer. If you need to travel on a holiday, you will need to schedule a demand response trip up to three days prior to travel. To schedule a demand response trip, call (702) 228-4800.

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## ***Call or Click before you Move***

The RTC's goal is to provide the best customer service possible. As a suggestion to help serve its riders, the RTC would like to remind customers to call before changing residences to verify that public transportation is available where they are moving. Don't leave yourself without a ride. One call is all it takes to RTC Customer Care at (702) 228-4800, or by visiting [rtcsonv.com](http://rtcsonv.com).

It is important to keep information current. Update home and mailing addresses and emergency contact information when scheduling a trip.

Information available is subject to change based on future adjustments to fixed route transit schedules.

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## ***Fares***

RTC ADA Paratransit Services fare is broken down into various categories. The following outlines the rate schedule for a one-way trip. Fares can be purchased online at [rtcsonv.com](http://rtcsonv.com) or in person at the RTC's administrative building at 600 S. Grand Central Parkway.

### ***RTC ADA Paratransit Fares***

<b><i>Amount</i></b>	<b><i>Type</i></b>
<b>\$3</b>	<b>Base cash (one-way)</b>
<b>\$3</b>	<b>Companion fare (one-way)</b>
<b>\$12</b>	<b>4 Single Ride Coupon Book</b>
<b>\$30</b>	<b>10 Single Ride Coupon Book</b>
<b>\$40</b>	<b>22 Single Rides (per calendar month)</b>
<b>\$80</b>	<b>46 Single Rides (per calendar month)</b>
<b>Free</b>	<b>Personal Care Attendant (PCA)</b>

RTC Paratransit riders who are taking Medicaid authorized trips do not need to present fare payment. Medicaid clients should contact their caseworker to determine which trips will be authorized. Call the Medicaid trip broker, Medical Transportation Management (MTM) at (844) 879-7341 to schedule Medicaid rides. The RTC does not determine what type of trips will be authorized. If the reservation is not scheduled by MTM, the passenger will need to pay the fare.

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### ***Try Fixed Route for FREE***

Paratransit customers can ride fixed route transit for free! Just swipe your RTC ADA Paratransit I.D. Card through the vehicle farebox when boarding. Paratransit clients approved to ride with a personal care attendant (PCA) may have the PCA ride free of charge.

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### ***Paperless Fare***

Paper passes are currently not issued to clients when they purchase a 46-ride or 22-ride monthly fare. The RTC will make a notation in the client's file that a monthly fare was purchased, and all drivers will be notified that the client is eligible to ride. Please note that the fare will be updated to the client file five to seven days after the purchase is processed depending on how the purchase was completed.

It is recommended that customers purchase their monthly pass five to seven days prior to the beginning of the month to ensure that the monthly pass is added to their client record and available to use when the month begins.

Customers can purchase their Paratransit fares, in person, at the RTC Administration Building or the Bonneville Transit Center. Paratransit monthly fares purchased in person at one of these locations are updated to the client's file within one day. If your monthly pass has not processed when transport is needed, please pay the fare and then immediately contact Customer Care at (702) 228-4800.

A Paratransit monthly fare and coupon book can be purchased at [rtcsonv.com](http://rtcsonv.com) or by mailing a check or money order to:

**RTC ADA Paratransit Services**  
**600 S. Grand Central Pkwy., Ste. 350**  
**Las Vegas, NV 89106**

Mailed checks must be pre-printed with the rider's name, phone number and Paratransit I.D. number. The RTC cannot accept out-of-state checks or third-party checks. Please allow 5-7 days for mail delivery and processing.

Cash fares must be paid at the time of boarding a vehicle. Drivers do not carry change.

If you have any questions regarding fare sales, please call Customer Care at (702) 228-4800.

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## ***Visitor Service***

The RTC will treat as eligible for complementary paratransit service all visitors who present documentation that they have paratransit eligibility in the jurisdiction in which they reside. This can be accomplished in advance of arrival by requesting confirmation of paratransit eligibility be sent to the RTC either by mail, fax or e-mail.

If the visitor is requesting to register in advance of their arrival and they are not certified for Paratransit with another transit agency then the RTC will request that the visitor provide documentation of disability by mail, fax or e-mail.

If the visitor appears in person to request visitor status and they are unable to present documentation of paratransit eligibility, the RTC may require proof of residence and if their disability is not apparent the RTC will ask the visitor to sign a certification document that states that they are unable to use fixed route transit.

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## ***Shared Rides***

RTC ADA Paratransit Services is a public transportation service. Whenever possible, the RTC will schedule rides with multiple passengers. This means you will be sharing rides with other persons with disabilities. Please be a courteous rider. Riders who require medication or oxygen at regular intervals should be advised that their travel time could be approximately 90 minutes depending on the distance traveled.

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## ***Reservations***

Reservations can be made by calling Customer Care at (702) 228-4800 or (702) 676-1834 (TDD) for hearing impaired seven days a week (including holidays) between the hours of 7 a.m. and 6 p.m., or use our online portal RideCheck. For details, see page 16. Reservations may be made from one day to three days in advance of the day of travel.

## ***Tips for Requesting a Ride***

Please have the following information available for the Customer Care agent:

- Your name
- The day and date of your trip
- Your pick-up address (this must include exact street address, building or facility name, also include apartment number, building number, suite number and gate codes, if applicable) and your pick-up phone number
- Your destination address (this must include exact street address, building or facility name, also include apartment number, building number, suite number and gate codes if applicable) and your destination phone number, if available
- The time you would like to be picked up from your pick-up address or the time you would like to arrive at your destination. You may not request both a pick-up and an arrival time. You may choose one or the other.
- The type of mobility aide(s) you will be using\*
- The number of people traveling - will you be taking a companion or Personal Care Attendant?\*\*

*\*Passengers cannot travel using a mobility device unless it has been previously recorded in your certification file. Any changes to your mobility device requirements or Personal Care Attendant needs must be updated with the Certification Office prior to the date of your call.*

*\*\*You must be authorized by the certification department to take a Personal Care Attendant. Companions are required to pay full fare.*

You should have a pen or pencil handy to write down the Customer Care agent's name, date and window times of your pickups.

Keep in mind, even if all you need to do is drop off or pick up something, the driver cannot wait for you. You will need to schedule two separate trips.



## ***Other Important Tips***

- Customers may schedule rides up to three days in advance. Riders are encouraged to provide as much advanced notice as possible (with in three days).
- Trips may be scheduled and canceled online at [ridecheck.rtcsonv.com](https://ridecheck.rtcsonv.com).
- For the fastest service when scheduling your trip, call between 9 a.m. and 4 p.m.
- The demand for Paratransit trips peaks from 6 to 9:30 a.m. and 1 to 5 p.m. You will generally have the best selection of pick-up times if you request a trip outside of these “peak” hours.
- There are designated Paratransit stops at major locations such as shopping malls, hotels, casinos, hospitals college campuses and some apartment complexes. Please verify with the Customer Care agent where the vehicle will drop off and pick up. For safety reasons, the drivers will not deviate from these designated stops.
- Although the RTC strives to keep your ride time to 90 minutes or less, there may be certain situations where your ride may exceed 90 minutes.
- There is no restroom access on the Paratransit vehicles, and drivers cannot stop.
- Please keep your information current and notify the RTC of any change of address, phone number, emergency contact information, etc.



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### ***Please Note:***

- Trips may originate and end from any location within the RTC's ADA Paratransit service area. Rides may be one-way, round-trip or multiple rides. All pick-ups and destinations need to be located within the RTC's ADA Paratransit service area.
- No changes can be made to any trips on the day of your scheduled ride, including the time of travel or any changes to the addresses.

The RTC's Customer Care agents will do their best to accommodate the times you request; however, alternate times may be offered. As Paratransit is a shared ride service, the Customer Care agent is allowed to negotiate the times of your trip within an hour of your requested pick-up time. Times may be offered as early as an hour before or as late as an hour after your requested pick-up time.

The interval between pick-up times on the same day is recommended to be at least two hours. For example, if your scheduled pick-up time is 10 to 10:30 a.m., it is recommended that you do not schedule your next ride until noon to 12:30 p.m. This will help to ensure you have arrived at your first destination with enough time to travel on your second or return ride.





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## ***Subscription Service***

Subscription service is available for trips that are considered consistent and repetitive over a period of at least 90 days. Once subscription service goes into effect, there is no need for additional reservation calls.

There are three categories of subscription requests, each with different criteria:

- 1    Weekly trips - will occur at least three (3) times over a seven-day period**
- 2    Weekday trips - will occur at least two (2) times, Monday through Friday**
- 3    Weekend trips - will occur at least one time on Saturday and/or Sunday**

To be considered for subscription service, a person must demonstrate a pattern of no excessive cancellations or no shows. Requests may be made by calling a RTC Customer Care agent at (702) 228-4800 or (702) 676-1834 (TDD) for hearing impaired.

The RTC offers subscription services as an optional component of service. Subscription services are allowed under the Americans with Disabilities Act (ADA) of 1990 but not mandated. Your request may be placed on a waiting list. When a space becomes available, the individual will be notified. Requests are maintained for four months, after which, you may re-apply.

To avoid assessment of no show points please remember to cancel subscriptions that are no longer needed. Subscription service with excessive cancellations and /or no shows will not be continued.



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### **Arrivals & Late Arrivals**

Passengers should be ready to depart at any time during their scheduled pick-up window and be available for travel when the vehicle arrives. Drivers are instructed to wait five (5) minutes after their arrival and will not leave before. If the driver arrives early, the driver will wait until your pick-up window begins and then give you five (5) minutes to board.

**If you are unable to board the vehicle within five (5) minutes of the vehicle's arrival the driver will leave to stay on schedule.** Your trip will be marked a no show; however, the driver will not mark you as a no show prior to the pick-up window.

Vehicles arriving within the 30-minute pick-up window are considered within the on-time window for service. If your vehicle has not arrived by the end of the 30-minute pick-up window quoted by the Customer Care agent, you may then elect to cancel/decline the ride without no show policy points being assigned.\* Please remember to call and cancel the late ride and/or any return rides you may have scheduled. Drivers are not able to cancel your additional rides. While the RTC strives to provide on-time service, many factors may result in a delayed pick-up. If your vehicle has not arrived within the 30-minute pick-up window, please call the Inquiry Office, open 24 hours a day, seven days a week at (702) 228-4800 and press 3 at the voice prompt or (702) 676-1834 (TDD).

*\*Please refer to page 17 for the no show points policy.*

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## ***Gated Communities***

If a pick-up location is within a gated community, it is the customer's responsibility to arrange entry for the vehicle. When you schedule a trip, please confirm the gate code. Any changes should be reported to RTC ADA Paratransit Services at (702) 228-4800 or (702) 676-1834 (TDD). If a vehicle is unable to enter the pick-up area or the customer fails to meet the vehicle outside of the community, the customer's trip will be designated as a no show. Please note that some gated communities may have designated pick-up/drop-off location(s) that cannot be changed. Please check with the Customer Care agent when you are scheduling a ride.

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## ***RTC Paratransit Same-Day-Service***

RTC offers ADA certified riders an option for non-emergency, unplanned medical needs. Using the same-day-service request program, RTC Paratransit riders can schedule non-life threatening medical trips only. Trips can be for any medical reason, for example, pharmacy, therapy, etc. The same-day-service is provided to ADA certified riders within the ADA service area. There is no additional charge for a same-day-service ride; the fare is the same as RTC ADA Paratransit Service. Same-day service is provided on a space available basis and ride times are not guaranteed. The RTC recommends that you make every effort to pre-plan and schedule your medical trips in advance.

Same-day-service ride hours are Monday through Friday, 8 a.m. to midnight. No weekends or holidays. To schedule a same-day-service request, call (702) 228-4800 and select option 3 "same-day-service request" to schedule your ride. Reservations can be made Monday through Friday from 7 a.m. to 8 p.m.

## **Contacting Customer Care**

RTC uses an automated phone system to assist in efficiently routing customers' calls. The service is available 24 hours a day, 7 days a week.

When you call (702) 228-4800, you will hear the following prompts.

### **Interactive Voice Response (IVR) (702) 228-4800**

- 1 Confirm or cancel a ride**
- 2 Schedule a ride between 7 a.m. and 6 p.m. or cancel a 2-3 days to advance**
- 3 Inquire/cancel current ride or schedule a same-day medical trip**
- 4 Certification or eligibility**
- 5 Verify customer information**
- 6 General information**
- 7 System comments**
- 0 Speak to a representative**
- \* Repeat menu choices**

Customers can confirm or cancel their rides for the next three days without having to speak to a Customer Care agent. Your access code is your Paratransit ID number, and your password is a four-digit number comprised of the last two digits of your birth year and the two digits of your birth month. Example: 06/12/1985 = 8506. If you have questions regarding your ID or password, please contact Paratransit Customer Service.

## **RideCheck**

Paratransit users have the ability to book, check the status or cancel a previously scheduled Paratransit ride at **[ridecheck.rtcsnv.com](https://ridecheck.rtcsnv.com)**. Or you can call our Paratransit Customer Care office at (702) 228-4800.



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## ***Vehicles***

RTC ADA Paratransit Services may contract with other providers for transportation service. The Customer Care agent is unable to tell you what type of vehicle will be used for your trip. All vehicles used through this service are required to display an RTC sign on their vehicle. If you do not see the sign, ask the operator to show it to you.

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## ***No Show Policy***

To cancel a scheduled trip, call RTC Paratransit Customer Care at (702) 228-4800 or (702) 676-1834 (TDD).

A “no show” occurs when a customer does not board the vehicle within five minutes of the vehicle’s arrival or when a customer cancels a ride within the 30-minute ready window. Each no show is counted as one (1) penalty point.

A “late cancellation” occurs when a customer cancels a trip less than two hours before the start of the 30-minute ready window. Each late cancellation is counted as half (1/2) of a penalty point.

In any 30-day period, any customer who has “no showed” or “late cancelled” at least 10% of those trips will receive a suspension notice. A trip cancelled in accordance with our policy, i.e., more than two hours before the start of the pick-up window, will not be counted in the total number of trips booked, and the client will not receive penalty points.





Additionally, to ensure suspension only applies to riders who have an established pattern or practice of scheduling trips and not taking them, a customer must accumulate three (3) or more penalty points to receive a suspension. A customer will be subject to suspension only if both the minimum 10% of trips scheduled were “no showed” or “late cancelled” and the minimum number of penalty points are reached during the 30-day period.

The length of a customer’s suspension will adhere to the following schedule:

- Upon a first violation within a calendar year, a customer receives a warning letter.
- Second violation: 7-day (1-week) suspension
- Third violation: 14-day (2-week) suspension (Loss of Subscription)
- Fourth violation: 21-day (3-week) suspension (Loss of Subscription)
- Fifth violation: 28-day (4-week) suspension (Loss of Subscription)
- Subsequent violations will increase by a week (Loss of Subscription)

Violations of this policy will result in suspension, per the above schedule. If a no show or late cancellation is due to circumstances beyond your control, please call the RTC’s Paratransit Customer Care department at (702) 228-4800 to explain the circumstance, and request the review and/or removal of the no show or late cancellation.

RTC will notify riders of all points assessed to their record. Prior to sending a suspension letter, RTC will review all no shows and late cancellations to



ensure that the process was followed properly and an accurate count is represented. Any no show or late cancellation that is found to be in error will be removed from the customer's account.

In the event you are a no show for a ride, the return ride or any additional ride(s) scheduled for that day **will not** be automatically canceled. Please call (702) 228-4800 or (702) 676-1834 (TDD) and select option 3 to cancel any return/additional rides you had scheduled that will no longer be needed.

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### ***Right of Appeal***

If you dispute a suspension under this policy, you have the right to file an appeal. Appeal requests may be filed by the deadline per the instructions included with your notice of suspension. If you miss the appeal request deadline, your Paratransit service will be suspended on the date listed on your notice of service suspension.

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### ***Rider Rules***

The RTC's goal is to provide a safe, comfortable ride for individuals traveling on RTC vehicles. To ensure a pleasant trip for all, please observe the following rules:

- Seatbelts are recommended for passengers on vehicles and the driver will assist with fastening if requested.
- No eating is allowed on the vehicle, and drinks must be in spill-proof covered containers.
- Smoking is prohibited on the vehicle.
- Proper attire, including shirts and shoes or appropriate foot coverings, is required on the vehicle.
- Personal musical devices are allowed with head phones as long as the sound is not audible to others.
- Please do not distract the driver while the vehicle is in motion.
- Managing medication(s) and other personal belongings is the responsibility of the rider.
- In order to ride, pets must be in a secure cage and held by or placed at the feet of the passenger.

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## ***Wheelchairs & Mobility Devices***

All vehicles used for service in the RTC system are 100 percent ADA accessible.

Vehicle operators will assist customers in boarding and exiting the Paratransit vehicle as needed.

All mobility devices such as wheelchairs, scooters and three-wheel carts must be secured in the vehicle and conform to the ADA definition of a mobility device.

Accessibility to ADA Paratransit Service vehicles will be discussed with each person during the eligibility process.

The RTC offers mobility device users a free and voluntary program designed to identify securement locations to assist drivers in quickly and safely securing the equipment on the bus. Please contact (702) 676-1767 or (702) 676-1834 (TDD) and leave a message for more information and reference the Securement Assistance for Everyone (SAFE) program.

If your condition changes in a manner that requires you to use an assistive mobility device or change the type of mobility device used during your initial functional assessment, it must be reported to the RTC Certification Office at (702) 228-4800 or (702) 676-1815. Due to this change in your condition, you may be required to undergo an additional assessment to determine what effect this change may have on your functional ability. Your current eligibility status may be altered as a result of your new functional assessment.

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## ***Service Animals***

- Service animals are welcome and ride free-of-charge.
- A disruptive dog will be treated according to the Rider Code of Conduct policy. (pg. 23)
- Service dogs must sit on the floor or on the passenger's lap. They may not occupy a passenger seat.
- The RTC does not allow for the transport of ill or deceased animals.



## ***Children***

- Children under six years old must be accompanied by a responsible party.
- Children under six years old or who weigh less than 60 pounds should be secured in an approved child safety seat provided by the customer.
- Strollers must be collapsed to fit between the seat and the customer. Non-collapsible strollers are prohibited.
- For safety reasons, children capable of sitting on their own must sit in a seat and not on an adult's lap.

## ***Personal Care Attendant (PCA) & Companions***

A Personal Care Attendant (PCA) may ride free-of-charge when accompanying an individual certified by the RTC Certification Department. The need for a PCA will be determined during your evaluation appointment.

One companion may also accompany an eligible rider. A companion will be charged the same fare as the eligible rider. Let the Customer Care agent know at the time the reservation is made if you will be traveling with a companion, a PCA or both.

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### ***Unattended Passenger Policy***

Customers determined as unable to be left unattended (based on age, cognitive limitations or special request of the responsible party) may schedule rides and ride unattended; however, arrangements must be made to have a responsible party meet the Paratransit vehicle at each location.

The “unattended passenger” form must be completed and on file. Please contact the RTC Certification Department at (702) 228-4800 or (702) 676-1815 if this service is required.

The driver will only wait five minutes for the responsible party to meet the Paratransit vehicle. If no one arrives, the driver will notify the RTC and continue on his/her route. The RTC will attempt to reach the designated emergency contact person. If the customer is not met by the end of the route, he/she will be returned to the bus yard. The responsible party will be required to pick-up the customer at the bus yard and must show proper identification. The customer will not be left unattended, and the police may be notified to assist in locating a responsible party.

Failure to have a responsible party meet the vehicle is a violation of the RTC Unattended Passenger policy, and customers are subject to suspension.

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### ***Carry-on Bag Policy***

Customers are permitted to carry on only the number of bags that they are able to manage independently without the assistance of the driver. Due to space limitations and the time it takes to board the vehicle, the number of shopping bags is restricted to those that can be easily handled by the customer and carried aboard without delaying the vehicle. The carry-on items must fit within a certain space either on your lap or in front of your area. If a customer brings more than he/she is able to manage independently, it will be the customer’s choice on whether to board with a manageable amount of items and find alternative transportation to carry the remaining packages, or decline the trip. Please note points may be assessed for declined trips. See no show policy.

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## ***Shopping Cart Policy***

Shopping carts or any type of equipment used to assist with transporting packages, groceries, clothing or other items are allowed on a limited basis. When space is limited, priority must be given to RTC ADA Paratransit wheelchair passengers. Carts can be no larger than 30" high by 18" deep by 18" wide. The trip must be reserved and approved with the cart, or the driver will be unable to transport the customer with his/her shopping cart.

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## ***Passenger Code of Conduct Policy***

The RTC desires to maintain and operate a safe, efficient, and effective public transit system. For the safety and comfort of all persons who interact with its public transit system, the RTC has established this policy to address the conduct of persons using RTC vehicles and facilities.

The RTC recognizes that there may be circumstances during which an individual's disability or medical condition may cause a person to unknowingly and/or unintentionally violate this Passenger Code of Conduct Policy. For this and other reasons, the RTC investigates each violation individually.

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## ***Door-to-Door Service***

RTC ADA Paratransit Services provides "door-to-door" service. The driver will come to your residential door, but will not enter into lobbies of apartments, professional buildings, retail establishments or commercial properties to let you know the bus has arrived. Please watch for the vehicle. There are some locations and/or situations where the driver cannot leave the vehicle. When picking-up or dropping off on private property, there are often designated areas where a driver is permitted to stop. In order for us to serve you, it is necessary for you to wait for the vehicle at the marked stop. In many cases, you will be advised during your reservation of the appropriate location to wait for the vehicle.



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### ***Driver Services***

Drivers will assist passengers who are unable to maneuver themselves from their door or designated pick-up location to the vehicle, provided it is safe for them to do so.

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### ***Drivers Are Allowed To:***

- Maneuver your manual wheelchair if you need assistance from outside your door to the vehicle
- Lend a steady arm if you need assistance
- Provide directions or act as a sighted guide to/from the vehicle if you are visually impaired

If you feel you need this type of assistance, please notify the driver.

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### ***Drivers Are Not Allowed / Required To:***

- Operate or push your electric mobility device (for example, electric wheelchair or scooter)
- Stop for restroom breaks
- Operate or push your equipment or shopping cart up or down stairs or steep inclines
- Cross residential thresholds
- Lift or carry riders
- Carry packages or other items

Drivers are trained not to perform these activities. Please do not make these requests of your driver.

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## ***Non-Discrimination Policy***

The RTC does not discriminate on the basis of disability in admission or access to its programs, services, or activities; in treatment of individuals with disabilities; or in any aspect of RTC operations.

If you have reason to believe that a client, customer or citizen may need auxiliary aids and services to access a RTC program, service, or activity, advise the person that such assistance will be provided when appropriate and will be free of charge.

This offer and advice must also be made when a client, customer or citizen, due to a visual, hearing or speech impairment, requests an auxiliary aid or service for self (or on behalf of any other qualified individual) in seeking access to RTC services.

Any questions or complaints regarding compliance are to be directed to our attention:

Safety & Security  
600 Grand Central  
Las Vegas, NV 89106  
(702) 676-1500; (702) 676-1834 (TDD)

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## ***Questions & Comments***

We want to hear from you. Please contact Customer Care online at [rtcsonv.com](http://rtcsonv.com) or via phone at (702) 228-4800 option 7 or (702) 676-1834 (TDD) to ask a question or leave us your comments, complaints, suggestions or recommendations. Or if you prefer, you can write to:

**RTC Paratransit Services,  
600 S. Grand Central Pkwy., Ste. 350  
Las Vegas, NV 89106  
Attn: Customer Service  
or e-mail us through our  
website at [rtcsonv.com](http://rtcsonv.com).**

When making a comment, please try to provide as much detail as possible so we can properly address your concern. For example, if you're reporting a situation involving a Paratransit vehicle, the exact date is necessary.

# ***Important*** Numbers

## ***RTC ADA Paratransit Customer Service***

### **Scheduling**

(702) 228-4800 option 2 or  
(702) 676-1834 (TDD)  
7 days a week, 7 a.m. to 6 p.m.

### **Same Day Reservations** (excluding holidays)

(702) 228-4800 option 3 or  
(702) 676-1834 (TDD)  
Mon. – Fri., 7 a.m. to 8 p.m.

### **Inquiry/Same Day Cancellations**

(702) 228-4800 option 3 or  
(702) 676-1834 (TDD)  
7 days a week, 24 hours a day

### **Certification Office/Lost I.D. Cards**

(702) 676-1815, (702) 228-4800, option 4  
or (702) 676-1834 (TDD)  
Mon. – Fri., 8 a.m. to 4 p.m.

### **Comments**

[rtcsonv.com/submit-online-comment](https://rtcsonv.com/submit-online-comment)  
(702) 228-4800 option 7 or  
(702) 676-1834 (TDD)  
7 days a week, 7 a.m. to 6 p.m.

### **Lost and Found**

(702) 228-4800, (702) 676-1834 (TDD)  
7 days a week, 7 a.m. to 6 p.m.

### **RTC Administrative Offices**

(702) 676-1500 or (702) 676-1834 (TDD)  
Mon. – Thurs., 7 a.m. to 6 p.m.

### **RTC Fixed Route Customer Service**

(702) 228-7433 or  
(702) 676-1834 (TDD)  
Mon. – Fri., 6 a.m. to 8 p.m.  
Sat. and Sun., 7 a.m. to 6 p.m.  
Closed Thanksgiving and Christmas





# **Quick** Reference

- 1.** Reservation line (702) 228-4800.
- 2.** Schedule a ride one to three days in advance.
- 3.** Call seven days a week between 7 a.m. and 6 p.m.
- 4.** Have the exact address for your pick up and drop-off.
- 5.** Have location name, phone number, building number, etc.
- 6.** Be ready to board at any time within the 30-minute pick-up window.
- 7.** You will share your ride with other passengers.
- 8.** Expect stops along the way before you reach your destination.
- 9.** Cancel rides you will not be taking.

