

FTA

FEDERAL TRANSIT ADMINISTRATION

Toledo Area Regional Transit Authority (TARTA) ADA Paratransit Compliance Review

Final Report
June 2017



U.S. Department of Transportation
Federal Transit Administration

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Executive Summary

Objective and Methodology

This report reviews the complementary paratransit service, TARPS, provided by the Toledo Area Regional Transit Authority (TARTA). The objective of this review is to verify whether TARTA is meeting its obligations under the ADA to provide paratransit as a complement to its fixed route service.

This compliance review included three stages:

1. Preparation: compilation of information covering policies and procedures, and interviews with local disability organizations
2. Site visit: a three-person review team's data analyses supported by on-site observations of how TARTA handles trip requests, scheduling and dispatching, examinations of eligibility applications and related documents (including appeals), and interviews with TARTA and contractor employees
3. Analysis and reporting: using site-visit data, identification of deficiencies requiring corrective actions and suggestions of effective practices in complementary paratransit service

Key Findings

TARTA's ADA Complementary Paratransit Program includes the following positive program elements:

Positive Program Elements

- TARTA budgets and plans to meet all ADA paratransit demand, including upgrading technology.
- TARTA has redesigned TARPS service to make use of supplemental providers on weekends, thereby enabling the agency to deploy its own workforce to maximize weekday capacity while also enhancing on-time performance and customer satisfaction.
- TARTA meets or exceeds its agency's standards for on-time performance for pickups.
- TARTA's professional and skilled reservations, scheduling, and dispatch team has managed to overcome limitations imposed by an aging fleet and driver and staff shortages, achieving zero trip denials and improved on-time performance.
- TARTA has a thorough ADA paratransit eligibility determination process, and the agency's policy and practice is to process completed applications promptly.

TARTA's ADA Complementary Paratransit Program has the following administrative deficiencies that are easily correctable to bring the program into compliance with 49 CFR Parts 27, 37, and 38.

Administrative Deficiencies

- TARTA's certification letters do not consistently provide specific, transit-based reasons for decisions in determinations of ineligibility, or temporary or conditional eligibility.
- When an eligibility appeal panel upholds or modifies TARTA's decision, the notification letter does not provide the specific reasons for that decision.
- TARPS Sunday service hours do not match the fixed route service hours.
- TARPS service area does not encompass the full ¾-mile corridor around fixed routes in Michigan.

TARTA's ADA Complementary Paratransit Program has the following substantive deficiencies that need to be addressed to bring the program into compliance with 49 CFR Parts 27, 37 and 38.

Substantive Deficiencies

- TARTA does not have a written procedure and standard for timely complaint resolution, nor does the agency regularly monitor complaint handling performance.
- TARTA must revise its visitor policy to state clearly its basis for providing service.
- TARTA's on-time drop-off scheduling parameters do not conform to the agency's stated standard or FTA guidance. In practice, TARTA does not appear to be scheduling to appointment time.
- TARTA does not have a standard for or conduct monitoring of telephone hold (queue) times.

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

1. General Information

This chapter provides basic information concerning this compliance review of the Toledo Area Regional Transit Authority's complementary paratransit service, TARPS. Information on Toledo Area Regional Transit Authority (TARTA), the review team, and the dates of the review is presented below.

Grant Recipient:	Toledo Area Regional Transit Authority (TARTA)
City/State:	Toledo, OH
Grantee Number:	1243
Executive Official:	James K. Gee, General Manager/CEO
On-site Liaison:	Eric Smith
Report Prepared By:	Milligan and Company, LLC
Dates of On-site Visit:	March 7 – 10, 2017
Review Team Members:	Cynthia Lister, Habibatou Atta, Russell Thatcher

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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 USC 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 the transit system's ADA complementary paratransit system 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 analyzed service statistics, basic service records, and operating documents. To verify the accuracy of the public operator's reported information and evaluate its methodology, the review team also conducted its own independent analysis of sample data. In addition, FTA solicited comments from eligible riders and from local disability organizations.

This report will summarize findings and advisory comments. Findings of deficiency require corrective action and 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 Toledo Area Regional Transit Authority (TARTA)

The Toledo Area Regional Transit Authority (TARTA) provides fixed-route bus service and ADA paratransit service for persons with disabilities in Toledo, OH and the surrounding communities of Maumee, Rossford, Ottawa Hills, Sylvania, Sylvania Township and Waterville. TARTA's fixed route service operates 45 bus routes furnishing approximately 3.5 million trips annually. In suburban communities, TARTA also operates flex-route same-day Call-A-Ride bus service curb to curb. This demand-response service deviates for all passengers.

TARTA offers fixed-route schedules and service information on its website, www.tarta.com. Under "Services", this site also contains information and downloadable forms and brochures for TARTA's ADA paratransit service, TARPS. The website includes an online, map-based travel planner as well as a complaint form and Title VI form. By clicking on the appropriate language in "Services" or "Rider Information", TARTA and TARPS service and eligibility information and documents deemed essential such as the application, ride guide, and policy book can immediately be downloaded in Spanish, Mandarin Chinese, and Arabic, as well as English. These languages are used by area residents.

During the onsite review, team members learned that TARTA additionally makes use of on-demand telephone interpretation services (translating approximately 200 languages) and saw documentation that it furnishes onsite contracted translators and interpreters when needed. Finally, www.tarta.com users can click on an embedded online translation utility to translate all website information, including maps, schedules, and travel planning, into their choice of more than 50 languages. This feature appears on the home page and within each subcategory. The availability of non-English-language information and materials free of charge is well-advertised on TARTA's website and printed materials.

4.1 Introduction to Paratransit Services and Organizational Structure

TARTA's ADA complementary paratransit service, called TARPS (Toledo Area Regional Paratransit Service), schedules over 350,000 trips each year (providing 22,000 - 26,000 completed trips per month, average 25,000). At the time of this review, 5,982 individuals were eligible to use TARPS service. On most Wednesdays, the highest-ridership day, TARTA schedules approximately 1,100 trips.

In late 2015, TARTA transitioned to a new service design: Monday through Friday service is provided using in-house TARTA vehicles and drivers. Five contractors, using taxis and accessible vans, furnish Saturday, Sunday, and holiday service (approximately 800 trips per weekend). Contractor service always includes at least two medical transport contractors with accessible vans. Black & White Cab and Paratransit ("Black & White Cab") provides 75 percent of contracted weekend service. TARPS staff accept and schedule trip requests seven days a week, and dispatch service Monday through Friday. Contractors dispatch weekend service. Individuals requesting weekend trips have the option of selecting their contractor. TARPS service operates out of a 2012 purpose-built "green" facility at 130 Knapp Street, next door to

TARTA's administration building. Eligibility activities also take place here, including in-person interviews, mobility management counseling, and travel training.

With regard to planning, capital, and operating budgeting, the review team was able to verify that TARTA budgets and plans to meet all ADA paratransit demand, and that the agency's long-range planning effort attempts to anticipate needs for technology and communications upgrades.

**TARTA and TARPS ADA Paratransit
Five Year Expenditures and FY17 Budgeted Expenses**

	FY12	FY13	FY14	FY15	FY16	FY17
TARTA Total Operating (fully allocated)	\$31,615,000	\$30,348,000	\$31,377,000	\$32,541,000	\$33,900,000 (unaudited)	\$32,178,000 (budgeted)
TARPS Operating	\$ 9,813,000	\$ 9,570,000	\$10,362,000	\$10,134,000	\$ 9,720,000 (unaudited)	\$ 9,975,000 (budgeted)
TARPS Capital	\$13,392,000	\$ 153,400	\$ 9,000	\$ 1,503,300	\$ 76,000	\$ -
2012: New building, \$10,782,000; software, \$110,000; new vehicles, \$2,500,000						
2013: Software, \$58,400; maintenance management software, \$95,000						
2014: Security system upgrade, \$9,000						
2015: New vehs. + MDTs, \$1,400,000; maint. shop lift, \$25,000; computer backup, \$1,300; upgrade maint. software, \$77,000						
2016: Maint. software, \$43,500; radio communic. system upgrade, \$24,400; computer equipment, \$2,600; facility, \$5,500						

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 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 review.

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 TARTA's ADA 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 TARTA's ADA paratransit service area, response time, fares, and hours and days of service, as well as its 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 system'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) (if applicable)
- Requirement for comparable complementary paratransit service (49 CFR §37.121)
- ADA paratransit eligibility: Standards (49 CFR §37.123)
- Paratransit eligibility process (49 CFR §37.125) including:
 - 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) (if applicable)
- Training requirements (49 CFR §37.173)

5.2 Methodology

The FTA Office of Civil Rights sent a notification letter to James K. Gee, TARTA General Manager and CEO, on November 4, 2016 confirming the dates for the review and requesting that information be sent to the review team in advance of the on-site visit (Attachment A).

Prior to the on-site visit, the review team examined the following service information:

- TARTA's description of how its ADA complementary paratransit service is structured
- Public information describing ADA complementary paratransit service
- Information furnished by TARTA in response to FTA's request for the agency's standards or goals for on-time performance, trip denials, missed trips, paratransit trip length, on-time performance, and telephone hold times

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

- Copies of completed driver manifests for recent months
 - 36 months of TARPS service data, including the number of trips requested and subscription trips per hour. TARTA also generated special service reports upon request to provide the review team with needed information.
 - Records of TARTA consumer comments and complaints related to capacity issues: trip denials, on-time performance, travel time, and telephone access
 - Procedures for passenger service reports reporting complaints and other incidents
 - TARTA's summary of complaints and raw complaint data
-

- Eligibility data and information for the most recent 12-month period
- A TARTA complementary paratransit fleet roster
- Data regarding TARTA's run structure and daily vehicle pull-out records
- A listing of paratransit personnel and their start dates and work shift assignments
- Training curricula for each type of complementary paratransit staff and contracted personnel
- Capital and operating budgets and cost data
- Procedures for providing information and communication in accessible formats and non-English languages

The on-site review of TARTA's ADA complementary paratransit service took place from March 7 through 10, 2017. The opening conference was held at 9 a.m. on Tuesday, March 7, at the TARPS offices at 130 Knapp Street, Toledo. Participants included:

Toledo Area Regional Transit Authority (TARTA)

- James K. Gee, General Manager and CEO
- Jon R. Elston, Director, Paratransit Services
- Ann M. Kruse, Assistant Director, Paratransit Services
- Bill Kelly, Planning Director
- Eric Smith, Customer Service Representative
- Melissa Burchett, Operations Manager
- Angela Schroeder, Administrative Assistant

Federal Transit Administration (FTA)

- John Day, Program Manager for Policy and Technical Assistance, Office of Civil Rights
- Marjorie Hughes, Regional Civil Rights Officer (RCRO), Region V

Milligan and Company, LLC

- Cynthia Lister, Lead Reviewer
- Habibatou Atta, Reviewer
- Russell Thatcher, Reviewer

Following the opening conference, the review team met with TARTA management to discuss the information sent in advance and the information and materials made available on site, examining TARTA's policies and procedures. During the remainder of the day, team members discussed the eligibility process with TARPS staff and gathered eligibility and appeal files for review. Reviewers also examined the processes in place at TARTA to record and respond to customer complaints, and requested complaint records from recent months for analysis. At the end of the day, the review team conducted observations in the TARPS reservations center.

On March 8 and 9, the review team again conducted observations in the TARPS reservations center. Reviewers interviewed call center personnel and observed and documented the process for taking reservations, and observed and discussed scheduling and dispatch activities. At headquarters, and also at Black & White Cab, team members interviewed management and

drivers, examined vehicles, reviewed training files and materials, and interviewed training staff. The review team paid particular attention to policies regarding trip reservations and whether TARTA used any form of trip caps or waiting lists. This portion of the review also examined policies and procedures concerning negotiation of requested trip times, and whether there appeared to be a pattern or practice of denying a significant number of trip requests.

At the same time, team members continued reviewing eligibility determination and appeal records, and interviewing TARTA staff regarding the eligibility determination process. Managers provided information on agency resources, budgeting, and staffing. Reviewers examined fixed-route schedules and interviewed managers to ascertain whether TARPS service met regulatory standards for areas, days, and hours of complementary transportation. The review team gathered and analyzed the following information:

- Comments and complaints on file at FTA and TARTA; comments from riders and advocates obtained through documents and interviews
- Reservations policies and performance standards
- Service reports showing the number of trips served and the number of trips denied for the past three years
- Call center reports showing telephone activity in both contractors' reservations and dispatch units
- Direct observations of the handling of trips and interviews with TARPS managers regarding standards and definitions established, ability to accommodate trip requests, and performance monitoring and reporting

As part of its review, the team compared on-board paratransit travel times with those on the fixed-route service, with an emphasis on paratransit trips with lengthy travel times, and examined telephone data, much of which had to be developed at that time. Reviewers met with scheduling personnel to examine the scheduling software, review its mapping capabilities, and discuss procedures used to develop final driver manifests. In addition, team members began examining completed driver manifests as a part of verification of ADA paratransit on-time performance.

On Friday, March 10, 2017, the review team tabulated the various data that had been gathered, identified and obtained any needed items, and prepared for the exit conference. The exit conference took place at 11 a.m. at the TARPS offices. Participating in the conference were:

Toledo Area Regional Transit Authority (TARTA)

- James K. Gee, General Manager and CEO
- Jon R. Elston, Director, Paratransit Services
- Ann M. Kruse, Assistant Director, Paratransit Services
- Bill Kelly, Planning Director
- Michael Blackston, Director, Information Systems
- Eric Smith, Customer Service Representative
- Melissa Burchett, Operations Manager
- Tricia Baker, Operations Manager
- Angela Schroeder, Administrative Assistant

Federal Transit Administration (FTA)

- John Day, Program Manager for Policy and Technical Assistance, Office of Civil Rights
- Marisa Appleton, Civil Rights Officer for Oversight, Region V
- Alana Kuhn, Equal Opportunity Specialist, Office of Civil Rights

Milligan and Company, LLC

- Cynthia Lister, Lead Reviewer
- Habibatu Atta, Reviewer
- Russell Thatcher, Reviewer

FTA provided Toledo Area Regional Transit Authority with a draft copy of the report for review and response. A copy of their response to the draft report is included as Attachment B.

5.3 Community Concerns

Prior to the on-site review, FTA provided the review team with service complaints filed with the Office of Civil Rights. FTA requested that the team analyze these documents, identify issues and practices that required further attention and analysis during the review, and establish whether service complaints had been filed with TARTA and if so how these had been resolved.

These complaints were dated between 2015 and late 2016 and represented a range of disabilities. One 2015 complaint discussed Title VI concerns related to language accessibility. Others reported poor service provision. None concerned the TARTA eligibility process and appeals, telephone wait times, driver assistance, use of wait lists, or visitor service. Capacity denials were not mentioned but several stated that the complainant *was not able to get the time I wanted*.

A number of complaints concerned TARPS service in 2015 and 2016 to a young person with a disability who attends a charter school. A parent cited overly lengthy travel times, poor on-time performance, and inability to obtain desired pickup times when making trip reservations. A team member interviewed the advocate who had submitted the complaints to obtain more information. While on site, reviewers closely observed the agency's reservation and scheduling policies and practices; analyzed on-time performance, trip duration, and missed trips/No Show data; and queried TARTA's provision of school transportation. Team members also examined TARTA complaint responses and records, data, and procedures. This report discusses TARTA's handling of and documentation concerning these various issues.

Transit agencies that receive federal funds also have obligations under Title VI of the Civil Rights Act of 1964 for ensuring individuals with limited English proficiency (LEP) can access their programs and activities. FTA had closed the Title VI complaint after TARTA demonstrated that it had taken corrective action. During this review, team members followed up on these corrective actions and examined whether TARTA is now providing service information and materials in Spanish and other non-English languages upon request. Reviewers found that TARTA has taken effective steps to address this concern and appears to be meeting its Title VI obligations without delay.

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6. Findings and Advisory Comments

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

Findings are expressed in terms of "deficiency" or "no deficiency." Findings of deficiency denote policies or practices found to 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 shall always require corrective action and/or additional reporting, and will always be expressed as:

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

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

6.1 Comparable Paratransit Service

Requirement: Under 49 CFR §37.121, the transit agency operating a fixed route system must provide 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 to provide 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, or with how the transit agency communicates information on ADA paratransit service.

Based on the data collected and policies, procedures, and actions examined during the review, the review team observed no failure on the part of TARTA to establish an ADA paratransit eligibility process, to accept and process applications, to provide service that is comparable to the level of fixed-route service, or to communicate information about the availability of that service to the public.

6.2 Paratransit Eligibility Process

Absence of Administrative Burdens

Requirement: Under 49 CFR §37.125, the transit agency 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.

TARTA does not charge application or photo fees and does not charge a fare to new or recertifying applicants for transportation related to the TARTA application process.

Paratransit Eligibility Standards

Requirement: Under 49 CFR §37.123 (e)(1)-(3), the transit agency's eligibility processes, application materials and public information must be comprehensive enough to permit the transit system 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 which prevents the individual from traveling to a boarding location or from a disembarking location

Discussion: During this compliance review, no deficiencies were found with the requirements related to the paratransit eligibility process, or with how the transit agency communicates eligibility for ADA paratransit service to applicants.

As part of the on-site review, team members examined the agency's public information materials and website information, and reviewed eligibility materials, certification files, and records. They interviewed the individuals responsible for handling TARTA eligibility applications and assessing applicants' functional ability to access, use, and navigate public transportation independently. They concluded that TARTA has established policies and procedures for the processing, review, and assessment of ADA paratransit eligibility applications which appear to conform to DOT ADA regulations and are broadly publicized and explained.

Eligibility Process

As part of its on-site review, team members examined TARTA's public information materials, website information, eligibility materials, certification files and records. They also interviewed the manager of TARTA's eligibility unit.

Reviewers observed that TARTA's eligibility determination activity appears accurate and thorough. TARTA's eligibility process features a brief two-part paper application, verification by the applicant's selected physician or professional, and the use of in-person interviews and functional assessments for the majority of applicants. Categories of eligibility include Unconditional, Conditional, Temporary, and Ineligible. TARTA ADA paratransit application forms and service information can be requested by phone or letter, or downloaded from the TARTA website in English, Spanish, Chinese, Arabic, or almost 50 other languages. Individuals must fill out Part One of the application and have their physician or professional of choice complete the Part Two verification form, then forward these materials to TARTA. Both Part One and Part Two include lists of the accessibility features offered by TARTA's fixed-route bus service. Both forms ask about the applicant's transit-related functional abilities, and reference issues such as use of mobility aids, path of travel, endurance/fatigue, wayfinding skills, and previous travel training. Reviewers noted that TARTA's application includes a checklist where applicants can indicate their ethnic group. This information is not needed for a determination of eligibility. The designated professional verification form includes sections where the respondent can provide additional information on physical, intellectual, mental health, mobility-related, and multiple disabilities, and blindness or vision impairments. After the application is received, eligibility staff review it for completeness and contact the applicant to schedule an appointment at TARPS for an interview and assessment. TARTA offers phone or in-person assistance in completing the form and if translation support is required, provides it free of charge.

TARTA mobility specialists, all of whom are experienced travel instructors or special education teachers, are responsible to ascertain the applicant's functional ability to access, use, and navigate fixed route service independently and throughout the service area, not just near the applicant's home. TARTA's determination process also thoroughly documents information provided during the in-person interview/assessment. The mobility specialists conduct a physical and/or cognitive or sensory evaluation of the applicant's functional abilities, including but not limited to mobility, gait and balance, step climbing ability, bus route and landmark identification, short term memory, and attention span. They may administer assessment measures such as the Tinetti Assessment Tool to examine the applicant's balance and gait. This usually is accomplished in one visit to TARPS headquarters. Based on the information already collected, the specialist at times may arrange for other assessments (for example, a vision examination). TARTA provides free transportation to and from this interview and any other requested assessment activities. TARTA also provides non-English-language eligibility materials upon request and arranges for a language interpreter to assist at the in-person interview. At the time of the review, TARTA had received six such requests in 2017.

Following the in-person interview and collection of any other information necessary to complete the application, mobility specialists are required to complete a determination summary and recommendation which is cross-checked by a supervisor or another specialist. Within 21 days,

the originating mobility specialist must prepare and issue TARTA's certification letter. Administrative staff use a computer spreadsheet to track pending applications, monitor progress, and ensure that the 21-day processing requirement is met.

Application Volume; Certification Outcomes

The agency's data shows that as of March 1, 2017, 5,982 individuals were registered as eligible for TARTA ADA paratransit service. Reviewers analyzed TARTA eligibility application volume and outcomes for calendar year 2016. This analysis showed that the agency's eligibility unit processed, on average, approximately 116 applications per month. Of these, about 75 (65 percent) were new applicants and 41 (35 percent) represented recertifying riders.

TARTA ADA Paratransit Eligibility Activity Calendar Year 2016

	<i>APPLICATIONS RECEIVED</i>			<i>OUTCOMES</i>				
	<i>New Applicants</i>	<i>Recertification</i>	<i>Totals</i>	<i>Unconditional</i>	<i>Conditional</i>	<i>Temporary</i>	<i>Denied</i>	
January	91	43	134	39	17	2	3	
February	77	46	123	46	8	3	2	
March	66	45	111	46	22	1	1	
April	70	36	106	65	10	4	2	
May	71	46	117	39	11	0	4	
June	77	37	114	60	12	1	1	
July	67	33	100	65	6	0	3	
August	77	51	128	70	11	2	9	
September	79	37	116	67	13	7	2	
October	84	45	129	31	8	4	5	
November	66	37	103	50	11	8	11	
December	79	33	112	34	9	1	2	
Totals	904	489	1,393	612	138	33	45	828
Percentage	65%	35%		73.9%	16.7%	4.0%	5.4%	
Average/mo.	75	41	116					

*** Totals include incomplete applications and applicants who no-showed an assessment appointment.

TARTA appears to find approximately three out of four applicants, new or recertifying, unconditionally eligible. For the universe of all applicants, TARTA's denial rate is approximately five percent. Reviewers observed that recertifying riders as well as new applicants may be found ineligible.

Team members observed that it is TARTA's practice to emphasize ability to use fixed-route transit. The agency has grouped eligibility determination, mobility management, reduced-fare applications, and travel training activities in one location. Mobility Specialists emphasize that they seek to assist applicants and their families to identify the individual's abilities to use fixed-route service. As part of the in-person interview, whenever appropriate they provide applicants with information about accessible fixed-route service and all other transportation options. This enables TARTA to follow up directly later when applicants indicate interest. After determinations are made, TARTA's mobility manager reviews all files for individuals found not eligible to identify any potential candidates for travel instruction.

Determinations

The review team examined a random sample of 35 TARTA eligibility files from calendar year 2016 and tabulated the contents and outcome of each application. The sample included 15 individuals found ineligible, 15 conditionally eligible, and 5 unconditionally eligible.

Reviewers observed that TARTA's application, interview, and assessment process considers factors of functional ability such as path of travel issues, endurance/fatigue, ability to travel independently, ability to travel throughout the service area, and how environmental, architectural, and adverse weather conditions can impact the effectiveness of a mobility device or white cane. The process considers information from applicants and designated professionals in assessing applications from individuals with intellectual or mental health disabilities. Reviewers found that within the random sample of 35 eligibility files, all determinations appeared appropriate, consistent, and without prohibited administrative burdens.

Accessible Information

Requirement: Under 49 CFR §37.125(b), the transit agency 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.

This requirement obligates transit agencies to ensure that individuals with disabilities have timely access to adequate service and eligibility information, including temporary service changes. Team members examined TARTA's public information materials, website information, and TARPS eligibility application and materials. They found that the agency offers eligibility and service materials in alternate accessible formats upon request, including service alerts and detour and route updates sent directly to riders' mobile phones. The TARPS Rider Guide states: *This guide is available in alternative formats upon request.*

Eligibility Determinations or Presumptive Eligibility within 21 Days

Requirement: Under 49 CFR §37.125(c), if the transit agency has not made an eligibility determination on the 21st day following the submission of a complete application, it must treat

the applicant as eligible on the 22nd day and have a process in place to provide service to the applicant beginning on the 22nd day and until the eligibility determination has been made. The transit agency's process must communicate the right to this presumptive eligibility to applicants 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, or with how the transit agency communicates presumptive eligibility to applicants.

Page 1 of the TARTA ADA Application states: *Once all necessary eligibility information is gathered, you will receive within 21 calendar days by mail a notice of eligibility status. If you have not received notification within 21 days, you may arrange Paratransit rides until determination is made and you are notified.* The TARPS Policy Manual states that under such circumstances, applicants will be provided service *under a presumption of eligibility.*

Reviewers examined TARTA eligibility files and records and viewed the spreadsheet log used to track application progress within the 21-day requirement. In interviewing TARTA management and eligibility unit personnel, it was evident that they understood the importance of complying with this requirement. TARTA appears to place a priority on processing all applications in a timely manner and documenting and tracking application activity.

The review team analyzed 35 randomly selected application files. Of these, 30 involved decisions of ineligibility or conditional eligibility. All 35 were processed within 21 days. The team found no application files where determinations had been made after 21 days. In tabulating the handling of the 35 files, team members found that for 25 (71 percent), determinations had been made the same day that the application was considered complete. Considered as a whole, 27 (77 percent) were processed in seven or fewer days, eight (23 percent) in 8 to 21 days. Examination of TARTA tracking records confirmed this.

With regard to issuing the determination letter in a timely fashion after a decision had been made, TARTA managers stated that whenever possible, staff issue the determination letter on the same day that the decision is made. Application file review supported this statement; for all 35 letters, the decision date and letter issuance were the same.

Written Eligibility Determinations including Specific Reasons for Denials or Temporary or Conditional Eligibility Determinations

Requirement: Under 49 CFR §37.125(d), determinations of eligibility must be made in writing. 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 the requirement to make eligibility determinations in writing and with how the transit agency communicates eligibility determinations to applicants.

TARTA's eligibility certification letters finding applicants ineligible, or conditionally or temporarily eligible, do not provide sufficiently detailed, transit-related reasons for the decision provided.

The reviewers examined 35 randomly selected TARPS application files. They found that of the 15 certification letters where individuals were found ineligible, six provided specific, transit-related reasons for this determination. The remaining nine contained statements such as, *You have been successful in using the fixed line bus service*. This comment is not sufficiently detailed. It does not cite specific skills necessary to use and access fixed-route service throughout the service area, nor does it refer to information provided by the applicant's designated professional or furnished during the interview. For the 15 letters where the applicant was made conditionally eligible, no specifics were furnished. As stated in Appendix D to §37.125, in discussing certification letters, *A mere recital that the applicant can use fixed route transit is not sufficient*. Reasons for a determination must specifically relate assessment findings regarding identified tasks to the regulatory basis for eligibility. Pages 9-17 and 9-18 in FTA Circular 4710.1 provide guidance and examples. Similarly, determination letters making an individual unconditionally eligible on a temporary basis must explain with specifics the agency's reasons for limiting the term of eligibility.

Corrective Action and Schedule: Within 60 days of the issuance of the final report, TARTA must provide to FTA for review revised letter templates and copies of recent determination letters that include specific, transit-based reasons for determinations of ineligibility, temporary, or conditional eligibility.

Recertification of Eligibility at Reasonable Intervals

Requirement: Under 49 CFR §37.125(f), the transit agency is 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.

As part of its examination of TARTA's eligibility policies, standards, and procedures, public information, and eligibility records, the review team observed no differences in the handling of new and recertification applications. The review team observed that the agency's recertification policies and processes meet the same standards as its policies and processes for new applicants, and that the process offers eligible riders adequate time to apply for recertification.

TARTA's eligibility process includes recertification at three-year intervals. The agency suggests that riders reapply three months before expiration of their eligibility and sends a notification letter at that time to alert the customer. TARTA now uses a simplified process for recertifying certain unconditionally eligible riders whose functional abilities are not likely to change over

time even with different mobility aids; this involves only an updating of personal information. TARTA encourages eligible riders who experience any health changes or changes in medical equipment that affect their ability to use public transit to recertify at any time.

Administrative Appeals Process for Denials or Decisions Granting Conditional or Temporary Eligibility

Requirement: Under 49 CFR §37.125(g), the transit agency must have a process for administering appeals through which individuals who are denied eligibility can obtain review of the denial. The transit agency is 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. The transit agency 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 authority (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 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 requirements of the process for appealing eligibility denials or decisions that limit eligibility. Hearing decision letters sent to appellants do not provide the required specific reasons (similar to the level of detail required to be provided in the initial determination letter) for the decision provided.

Appeal Process

TARTA certification letters finding applicants ineligible or conditionally eligible inform recipients of their right to appeal within 60 days and contain, in the body of the letter, basic information on the appeal process. TARTA administrative staff coordinate the administrative review and appeal hearing process, receiving, logging and tracking the request, scheduling the hearing, informing the appellant, and documenting the outcome. TARTA’s policy is that TARPS registrants shall receive service during the appeal period; new applicants do not. If an appellant needs to reschedule a hearing, TARTA accommodates the request. Pages 5-6 of the TARPS policy brochure describe the process for appeals of certification decisions. Written appeals are not required. The brochure describes the agency’s policy of providing timely scheduling of hearings, appeals panel composition and activities, the rendering of decisions within 30 days or award of presumptive eligibility, and the use of written decision letters. The appeals committee includes the Paratransit Services Director, an “independent clinical professional”, and a paratransit-eligible individual, none of whom can have been involved in the original decision. Appellants and their representatives are encouraged, but not required, to attend.

Reasons for Decision

TARTA reported 7 eligibility appeals during calendar year 2016 - one in April, two in May, one in July, and three in December. In all cases, appeal decisions were rendered in writing within five days of the hearing date. Four eligibility decisions were overturned. The appeals panel upheld three of the original decisions. The three letters informing appellants that the panel had upheld the original eligibility decision reported this outcome, but did not provide specific reasons for the panel's action. Once a decision is made, § 37.125(g)(2) obligates the agency to provide appellants with written appeal decisions (in accessible formats as appropriate) with specific reasons for the decision provided, similar to the level of detail provided in the initial determination letter.

Corrective Action and Schedule: Within 60 days of the issuance of the final report, TARTA must provide to the FTA for review an updated appeal decision notification letter template which provides specific reasons for any decision that upholds or conditions the original determination.

Complementary Paratransit for Visitors

Requirement: Under 49 CFR §37.127(d) and (e), paratransit service must be made available to visitors not residing in the jurisdiction(s) served by the 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. The transit system must treat as eligible all visitors who present information that they are eligible for paratransit service in the jurisdiction in which they reside; for those who do not present such documentation, the transit system must accept a certification that they are unable to use fixed-route service. In no case may the transit system require a visitor to apply for or receive eligibility certification for its own paratransit system before providing this service.

Discussion: During this compliance review, deficiencies were found with the requirement to make paratransit eligibility available to individuals meeting the definition of a visitor, and with how the transit agency communicates visitor eligibility to individuals.

The review team interviewed TARTA managers concerning service to visitors and examined the agency's public information and website. Page 19 of the TARPS ADA Rider Guide states: *This...service is extended to visitors who come to the TARPS service region and are eligible or are presumptively eligible for paratransit service. Please confer with the administrators of each transit system for details.* This statement does not permit use of service by individuals who do not use ADA paratransit in their home area, or who live where no service is available. As such, the written policy does not include and clearly address all requirements concerning service to visitors who do not have documentation from a home system.

Corrective Action and Schedule: Within 60 days of the issuance of the final report, TARTA must provide to the FTA for review a revised visitor policy statement and proposed ADA Rider Guide text which clearly state that individuals without eligibility from another system can obtain 21 days of service per year by presenting address information and, if not apparent, documentation of disability.

6.3 Types of Service

Requirement: Under 49 CFR §37.129(a), the transit agency's ADA complementary paratransit service must be provided on an origin-to-destination-basis. The transit agency may determine through its local planning process whether to establish either door-to-door or curb-to-curb service as the basic mode of paratransit service. Where the local planning process establishes curb-to-curb service as the basic 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 compliance review, no deficiencies were found with the requirement to provide origin-to-destination service to eligible riders or the transit agency's procedures to provide additional assistance beyond the curb if needed due to their disability for eligible riders to complete their trips.

As confirmed through on-site interviews with managers, drivers, and other personnel, driver training materials, and records review, TARTA provides TARPS service on an origin-to-destination basis. The base level of service is door-to-door. TARTA clearly explains its origin-to-destination policy in the TARPS ADA Rider Guide and in its employee manual. Page 15 of the rider guide says: *Service is door-to-door for passengers unless they decline the service. Operators are required to stay within the "line of sight" of their vehicle; therefore, passenger assistance will be given only to the outermost door of the residence or building destination.* Section 408.1 of the TARTA Paratransit Services Employee Procedures Manual says: *Operators are required to provide assistance to passengers from the door of their origination to the bus, and again from the bus to the door of their destination. Each Operator is expected to provide door-to-door service to each passenger.*

The review team interviewed eight drivers during the review, including six TARTA drivers and two Black & White Cab drivers. All eight drivers indicated that they provide assistance to and from the door for all riders.

6.4 Service Criteria for Complementary Paratransit

Requirement: Section 12143(c)(3) of the Americans with Disabilities Act directed the Secretary of Transportation to establish minimum service criteria to be used when determining whether the service provided by paratransit is comparable to the regular fixed-route system. These criteria are contained in 49 CFR §37.131, and include service area, response time, fares, 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 transit agency's ADA paratransit system using these criteria as described below.

Service Area

Requirement: Under 49 CFR §37.131(a)(1), all public operators of a fixed-route system must provide complementary paratransit service that covers, at a minimum, all areas within a three-quarter-mile radius of all of its bus routes, and within a “core service area” that includes any small areas that may be more than three-quarters of a 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 three-quarter-mile radius of a fixed route, unless the public transit agency does not have the legal authority to operate in those areas. For entities operating a light rail or rapid rail system, the paratransit service area must also include a three-quarter-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, deficiencies were found with the requirement to provide ADA paratransit service available to eligible individuals to and from origins and destinations within the service area, and with how the transit agency communicates the service area to eligible riders and potential applicants.

TARTA describes the TARPS service area, and instructs riders on how to determine if their planned trips are within the service area, on page 2 of the rider guide. The guide lists communities served, including Maumee, Ottawa Hills, Rossford, Sylvania, Sylvania Township, Toledo, Waterville, and Owens Community College, and then continues: *Federal ADA regulations define TARPS’ area of service as being within ¾ of a mile on either side of a local bus route. You will need to check each time you request a ride to confirm your start and destination addresses are within the service area.*

Page 7 of TARTA’s ADA Complementary Paratransit Service Policies states: *...TARTA exceeds the ADA requirements for complementary/paratransit service area. Instead of serving areas that are within ¾ of a mile from an operating TARTA Fixed Line route, TARPS currently goes beyond the requirement and serves all of the TARTA service area.*

TARTA’s Customer Service Representative, who manages the customer service and trip reservations process, confirmed that TARPS service is provided to all parts of the communities that are in TARTA’s jurisdiction, even parts of those communities that are more than three-quarters of a mile from bus routes. A digital file depicting the TARPS service area is programmed into Trapeze, the computer system used by TARTA to operate and manage the TARPS service. As customer service representatives (CSRs) enter trip origin and destination addresses during the trip booking process, Trapeze compares the addresses to the electronic service area file. If either the origin or destination address is outside service area boundaries, a pop-up message is generated informing the CSRs that the trip is outside the TARPS service area.

The review team examined the Trapeze service area file and compared it to a map of TARTA’s fixed bus routes. The comparison indicated that the Trapeze service area file is essentially a map of the TARTA communities. The boundaries of the map are the TARTA community boundaries. The comparison also indicated that there are several places where fixed bus routes are closer than three-quarters of a mile to the service area boundaries.

Reviewers discussed the handling of trips outside the TARTA community boundaries but within three-quarters of a mile of fixed bus routes with several CSRs. All indicated that they first consult the large service area map in the customer service office or a detailed map book. If it is clear that the location is well beyond the three-quarter-mile limit, they will inform the caller that the trip is not within the service area. If it is clear from the map that the trips are within three-quarters of a mile of a non-commuter bus route, they accept the trip request although it lies outside the boundaries of TARTA's member communities. If an examination of the physical map is not definitive, the CSRs obtain email verification (usually same-day) from a manager in the City of Toledo Planning Department. No alternate person or procedure has been designated if that individual is not available.

Reviewers also noted that several fixed bus routes in the north part of the TARTA area appear to be less than three-quarters of a mile from the Michigan state line. This includes Routes 2C, 17, 19, 39, and 42. The Customer Service Representatives stated that TARPS service is not provided in Michigan even if the requested locations are within three-quarters of a mile of TARTA fixed bus routes. Reviewers requested documentation that TARTA lacks legal authority to operate in Michigan. TARTA managers indicated at the exit meeting that they would provide this documentation. The review team received an email on April 7, 2017 from the Customer Service Manager indicating that the issue had been researched and that there was no legal bar preventing TARTA from serving riders just across the state border in Michigan. TARTA indicated that it would begin to serve trips that were across the border and within three-quarters of a mile of TARTA fixed routes and would do this as soon as possible.

Reviewers observed that configuring the digital map in the transit agency's paratransit scheduling software so that it accurately reflects the ADA paratransit service area is key to quickly and efficiently meeting regulatory compliance requirements. For TARPS service, this would involve revising the digital map to include areas outside of member community boundaries that are within three-quarters of a mile of fixed bus routes. Refining the digital map would replace the cumbersome process of double-checking paper maps and emailing the City Planning Department for assistance.

Corrective Action and Schedule: Within 60 days of the issuance of the final report, TARTA must begin providing TARPS service to those areas in Michigan that are within three-quarters of a mile of non-commuter fixed bus routes and provide documentation to FTA that this is being done.

Response Time

Requirements: Under 49 CFR §37.131(b), the transit agency must schedule and provide paratransit service to any ADA complementary paratransit eligible person at any requested time on a particular day in response to a request for service made the previous day, 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 the transit agency may negotiate pickup times with the rider prior to the trip being scheduled, it cannot require the rider to schedule a trip to begin more than one hour before or after the individual's desired departure time. Any greater deviation would exceed the

bounds of comparability. The transit agency must have policies and procedures in place to ensure that schedulers and dispatchers do not adjust the rider's negotiated pickup time or the pickup window without the rider's consent.

Under 49 CFR §37.131(b)(4), if the transit agency proposes to change its reservations system, it shall comply with the public participation requirements equivalent to those of §37.137(b) and (c). The transit agency may permit advance 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, no deficiencies were found with the response time requirements to provide reservation service, schedule and provide next-day service, to negotiate pickup times with riders, and limit any negotiation or schedule changes to within 60 minutes of the requested pickup time, or with how the transit agency communicates the reservation, pick-up time negotiation and change processes and schedule changes to eligible riders.

TARTA's reservations unit accepts trip requests seven days a week, 365 days a year. On weekdays and Saturdays, callers can make trip requests from 8 a.m. to 6 p.m. and on Sundays and holidays, from 9 a.m. to 5 p.m. Agents accept trip requests up to seven days ahead.

All service (non-administrative) calls to the TARPS program are first answered by reservations agents. Some calls, such as same day cancellations, same day trip requests, and "Where's my ride?" inquiries that cannot be handled by reservation agents must be forwarded to dispatch or other departments. Three reviewers observed the trip reservation function for a total of 10 person-hours. Reviewers documented the handling of a total of 277 calls, including 215 trip reservation calls. The following table shows the types of calls and their outcomes:

TARTA ADA Paratransit Observations of Reservations Unit Calls March 7-8, 2017			
Types of Calls Observed	Total	Outcomes	Total
Reservation trip request	215	Scheduled during call	182
Cancellation	6	Scheduled later	33
Late vehicle	31	Denied due to capacity	0
General info (fares, etc.)	8	Wait list	0
Other (trip confirmations, will call activations, etc.)	17	Refused by rider	0
Total	277	Total	215

Reviewers noted that none of the 215 trip requests were denied or waitlisted. Agents were able to schedule immediately 182 of the 215 trips requested. In 33 cases, the Trapeze system generated no scheduling options. In these cases, reservations agents offered callers a time either 30 minutes before or 30 minutes after the requested pickup time. This alternative time chosen by the rider was then entered into the system as the requested pickup time and the original (actual)

requested pickup time was deleted. (This practice does not preserve critical information documenting that TARTA has honored the one-hour negotiation window.) These requests were then left in the system as unscheduled trips to be scheduled later by a TARTA scheduler.

The team also noted how far ahead riders requested trips. As shown below, of the total of 215 trip reservation calls, 35 (16 percent) were made one day ahead (next day requests); 63 (29 percent), two days ahead, and 25 (12 percent), three days ahead. Requests for four to seven days ahead accounted for 86 (40 percent), and six (3 percent) were same-day requests. This confirmed that TARTA accepts next-day requests, and reflects a fairly even distribution that suggests that riders feel comfortable waiting until one to three days before travel to place requests.

TARTA ADA Paratransit Observed Trip Requests and How Far in Advance These Were Requested March 7-8, 2017		
Days in Advance	Number	Percent
0 Days (same day requests)	6	3%
1 day (next day requests)	35	16%
2 days	63	29%
3 days	25	12%
4 days	21	10%
5 days	8	4%
6 days	17	8%
7 days	40	18%
Total	215	100%

TARTA riders can schedule trips by requested pickup time, or by appointment time. However, reviewer observations of the handling of trip requests found that the reservations script and process does not request information about appointment times and does not record these times when they are stated. Statistics for the sample month of January 2017 also indicated that only 642 of the 24,266 trips scheduled included an appointment time. The TARTA Customer Service Representative noted that these 624 trips were for certain subscription trips, most likely dialysis trips. None of the 215 non-subscription trip bookings observed first-hand involved booking based on appointment time.

Reservations agents ask riders questions such as, “What time would you like to be picked up?” for both the going and return trips. During a few observed calls, riders were not sure what pickup time they should request and the agent asked, “When is your appointment?” The agent then suggested an appropriate pickup time and entered that pickup time in the system, but did not document the rider’s appointment time.

Recording appointment times during the trip booking process benefits the customer, who needs to plan around an appointment time, provides necessary information to schedulers and drivers,

and enables the measuring of on-time drop-off performance. When booking the first leg of round-trips, many systems ask, *When do you need to be there?* since a high percent of all going trips have an associated appointment or desired arrival time. If riders indicate that the arrival time is flexible, they then can follow-up with, “When would you like to be picked up?” This procedure allows for the capture of appointment times for later use in measuring on-time drop-off performance. For actual scheduling of trips, some systems generate appropriate pickup times based on the appointment times and schedule based on these generated pickup times. Others schedule by appointment time directly. Either way, appointment times will be recorded.

Fares

Requirement: Under 49 CFR §37.131(c), ADA paratransit fares must be no more than twice the fixed route fare for the same trip at the same time of day on the fixed route system, excluding discounts. The transit agency must allow eligible riders to travel with at least one companion (with additional companions accommodated on a space-available basis). If the passenger is accompanied by a personal care attendant (PCA), the transit system 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 the requirements for comparable paratransit fares or policies or practices concerning fares, PCAs or companions, or with how the transit agency communicates these policies and procedures to eligible riders.

Passengers may pay the TARTA \$2.50 ADA paratransit fare using cash, tickets, or passes. Tickets and passes (10-ride for \$25 and 20-ride for \$50) can be purchased at designated TARTA pass sales locations and via mail. This fare represents two times the TARTA fixed route full adult fare of \$1.25. Personal care attendants and children under six years of age pay no fare; companions pay the same fare as the eligible rider they accompany.

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 the requirements that ADA paratransit service be provided free from restrictions or priorities based on trip purpose in written policies and procedures, the eligibility process and observed reservation and scheduling practices, or with how the transit agency communicates these policies, procedures and practices to eligible riders and potential applicants.

Neither the TARPS ADA Rider Guide nor the ADA Complementary Paratransit Service Policies indicate any restrictions based on trip purpose or any prioritization of trips based on purpose. TARTA staff confirmed in interviews that service operates without trip prioritization and serves

all trip purposes. During observations of reservation and scheduling practices, the review team identified no inquiries about trip purpose and no indications of trip prioritization.

In reviewing TARTA certification letters and eligibility materials, team members found no trip purpose-based determinations. Reviewers found no evidence of prioritizing application processing based on trip purpose.

Hours and Days of Service

Requirement: Section 37.131(e) of the DOT ADA regulations requires that the ADA complementary paratransit service be available during the same hours and days as the fixed route service. This means that if a trip can be taken between two points on the entity's fixed route system at a specific time of day, it must also be able to be taken on paratransit. It also means that the service area may change depending upon the time of day or day of the week, when certain routes or areas may not be served. This requirement applies on a route-by-route basis. For example, an area that has fixed route bus service on weekdays but not weekends must have ADA complementary paratransit service (provide trips) on weekdays but not necessarily on weekends; an area that has bus service from 5 a.m. until 9 p.m. must have ADA complementary paratransit service, at minimum, from 5 a.m. until 9 p.m.

Discussion: During this compliance review, deficiencies were found with the requirements that ADA paratransit service be provided during the same hours and days as fixed-route service, and with how the transit agency communicates the hours and days of service to eligible riders and potential applicants. Page 2 of the TARPS ADA Rider Guide states: *TARPS rides may be scheduled for any time TARTA's fixed route bus service is available. These hours are subject to change. A Customer Service Representative (CSR) will know current available service times when you are making a reservation.*

TARTA managers and staff indicated in interviews that paratransit service is provided from 5 a.m. to 11:30 p.m. on weekdays, 6 a.m. to 9:45 p.m. on Saturdays, and 7 a.m. to 7 p.m. on Sundays. The review team reviewed the TARPS driver shifts and run structure and found that shifts and runs are in place to provide service during these stated hours.

To ensure that TARPS service hours/days are comparable to fixed-route service, reviewers compared weekday, Saturday, and Sunday schedules for each TARTA fixed route with TARPS earliest available pickup times and latest available return-trip pickup times. They found that on Sundays, a few fixed routes had stop times after 7 p.m. – the last drop-off on Route 31 is at 7:08 p.m. and the last drop-offs on Routes 11, 12, 13, and 14 are scheduled for 7:19 p.m.

Reviewers noted that TARTA has an administrative process in place to keep abreast of potential alterations to fixed route service hours and days, and to adjust ADA paratransit service hours promptly to reflect any fixed route service changes.

Corrective Action and Schedule: Within 60 days of the issuance of the final report, TARTA must submit documentation to FTA indicating that TARPS service is being provided along Routes 11, 12, 13, and 14 until at least 7:19 p.m. on Sundays.

Absence of Capacity Constraints

Requirement: Under 49 CFR §37.131(f), the transit agency 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.

Discussion: During this compliance review, no deficiencies were found with the requirements that ADA paratransit service be provided without practices which limit the availability of complementary paratransit service to ADA paratransit eligible individuals.

No restrictions on the number of trips provided to an eligible individual

Requirement: Under 49 CFR §37.131(f)(1), the transit agency may not impose restrictions on the number of trips that will be provided to an eligible rider.

Discussion: During this compliance review, no deficiencies were found with the requirements that ADA paratransit service be provided without limiting the number of trips that an eligible rider may take, and with how the transit agency communicates this requirement to eligible riders and potential users of the service.

TARTA's stated policy regarding service use is that TARTA provides ADA paratransit service on an unrestricted basis. Public information materials do not mention any limits on the number of trips provided. The review team observed no evidence of practices or policies restricting the number of trips an eligible individual may take. During observations of TARTA's reservations, scheduling and dispatch units, the review team found no policy or practice, formal or informal, limiting or capping the number of trips a rider may take and no indications of such restrictions.

The review team did note that the TARPS ADA Rider Guide indicates a limit on the number of trips that can be booked per telephone call. Page 5 of the guide states: "*you may make up to three (3) dissimilar round trip bookings during each reservation call. Trips which are to the same place, at the same time (such as to work) may be reserved for up to seven (7) days and count as one (1) trip booking.*" TARTA managers and staff indicated in interviews that this language is out-of-date and should be removed. They stated that restrictions on the number of trips that can be reserved per phone call have not been in effect for years. Review team observations of the TARTA trip reservation process confirmed that these limits are not being applied.

No waiting list for access to the service

Requirement: Under 49 CFR §37.131(f)(2), the transit agency is prohibited from establishing policies or engaging in practices and/or procedures which establish waiting list(s) for accessing the service.¹

Discussion: During this compliance review, no deficiencies were found with the requirements that ADA paratransit service be provided without the use of waiting list(s) for access to the non-subscription portion of the service, or with how the transit agency communicates this requirement to eligible riders and potential users of the service.

The review team's examination of TARTA's public information, service provider contracts, and operating policies and procedures did not identify any mention of waiting lists for non-subscription trip requests. After 10 hours of observing reservations and scheduling practices for the TARPS service, including the handling of a total of 215 trip requests, team members found that all trip requests were accepted and none were placed on a waiting list.

No substantial numbers of significantly untimely pickups for initial or return trips

Requirement: Under 49 CFR 37.131(f)(3)(i)(A), the transit agency must provide ADA 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 requirements that ADA paratransit service be provided without substantial numbers of significantly untimely pickups for initial or return trips, with the transit agency's standards for defining when trips are timely and untimely or its plan for monitoring service to determine whether or not either type of capacity constraint exists, or with how the transit agency communicates this requirement to eligible riders and potential users of the service.

The review team examined how TARTA defines on-time pickups and its performance standards for on-time pickups. Reviewers also analyzed TARTA's reported on-time pickup performance. To verify reported performance, on-time pickup performance was calculated for a random sample of trips made during the sample week of January 22 to 28, 2017.

On-Time Pickup Definitions and Standards

TARTA has established an on-time pickup window and a definition of on-time pickup performance. As indicated on page 6 of the TARPS ADA Rider guide, the on-time pickup window is from 10 minutes before to 20 minutes after the scheduled pickup time. TARTA's standard seeks to make pickups on-time or early at least 90 percent of the time.

¹ 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 paratransit system.

Reported On-Time Pickup Performance

On TARPS vehicles, mobile data terminals time-stamp and record actual arrival and departure times for each scheduled pickup. Drivers also manually record arrival and departure times on paper manifests. TARPS operations staff then reconcile manually recorded and digitally captured information each day to create an accurate record of actual pickups.

TARPS contractors also capture and report actual arrival and departure times for all trips assigned. This information is provided to TARTA and entered into the Trapeze system by TARTA operations staff.

A standard Trapeze report then compares scheduled to actual pickup times and generates on-time pickup performance reports by day and by month. Senior management reviews these reports to track on-time pickup performance.

The review team examined monthly on-time pickup data as well as the on-time reports generated through the Trapeze system. The following table summarizes TARTA's reported on-time pickup performance for the six-month period from September 2016 through February 2017. The table shows the percentage of trips each month that were picked up within the 30-minute on-time window, the percentage picked up early, and the cumulative percentage of trips picked up early and within the on-time window.

TARTA: Reported On-Time Pickup Performance September 2016 – February 2017			
Month, Year	Percentage of Trips Picked Up Within -10/+20 On-Time Window	Percentage of Trips Picked Up Early	Percentage of Trips Picked Up On-Time or Early
September 2016	76.4%	11.5%	87.9%
October	70.7%	16.3%	87.0%
November	71.4%	15.8%	87.2%
December	77.2%	11.6%	88.8%
January 2017	77.6%	13.6%	91.2%
February 2017	78.0%	13.6%	91.6%
Monthly Average	75.2%	13.7%	89.0%

Performance ranged from 87.0 percent to 91.6 percent and averaged 89.0 percent for the six-month period from September 2016 through February 2017. Performance from September through December 2016 was two to three percentage points below the established 90 percent standard. Performance exceeded TARTA's own standard by one to two percent in January and February 2017.

Calculated On-Time Pickup Performance

To verify the agency's reported on-time performance, the review team drew a random sample of 192 trips from driver manifests for the week of January 22 to 28, 2017. Reviewers compared actual pickup times recorded by drivers with negotiated and scheduled pickup times. As shown below, this analysis calculated the TARTA pickup performance for the sample week to be 94 percent on-time. Most late trips were one to 15 minutes late, one was 16 to 30 minutes late, and none in the sample were more than 30 minutes late.

The review team also ran a special Trapeze report for the sample week which showed that 92.3 percent of pickups were made on-time or early. The review team's independent sample calculation was therefore consistent with data contained in the Trapeze system.

TARTA: Independent Calculation of On-Time Pickup Performance for Advance Reservation Trips - January 22 - 28, 2017			
	Number	Number	Percentage
Trips in Sample	192	-	100%
In Window (-10/+20) or early	181	-	94%
Late (arrival after window)	11	-	6%
1-15 mins. late	-	10	-
16-30 mins. late	-	1	-
>30 mins. late	-	0	-

No substantial numbers of trip denials or missed trips

Requirement: Under 49 CFR §37.131(f)(3)(i)(B), the transit agency must provide ADA paratransit service without substantial numbers of trip denials or transit agency missed trips. A denial occurs whenever a transit system is unable to provide a trip on a next-day basis as requested by an eligible passenger between points within the 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) of the DOT ADA regulations, the transit system may negotiate pickup times with a passenger, but cannot require the passenger to schedule a trip to begin more than one hour before or after his or her desired departure time. If the trip cannot be arranged within this timeframe 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.

The review team examined TARTA service statistics, and TARTA's definitions and standards for trip denials and missed trips. The review team also scrutinized the coding of missed trips

reported by TARTA. Finally, the review team observed the trip reservation process and recorded the handling of trip requests.

TARTA Service Statistics

The following table, using data provided by TARTA in its Trip Breakdown reports, summarizes TARPS trips requested, scheduled, denied, missed, and completed for calendar year 2014, calendar year 2015 and for the 11-month period from January through November 2016.

TARTA: Analysis of ADA Trip Request Outcomes			
Calendar Years 2014, 2015 and January through November 2016			
	CY 2014	CY 2015	Jan. – Nov. 2016
Trips requested	362,848	385,708	318,519
Capacity denials	0	0	0
Trips scheduled	362,848	385,708	318,519
Trips cancelled	56,212	81,100	62,413
Trips no-showed	3,286	4,649	5,093
Missed trips	502	996	338
Trips completed	302,345	298,963	250,675

As shown, 1,067,075 trip requests were accepted and none were denied in the 35-month period from January 2014 through November 2016.

ADA Trip Denials

In its written response to FTA’s initial information request, TARTA stated that it does not deny any trip requests, but does negotiate requested pickup times. Managers reported that the agency’s informal (stated) standard is “no capacity denials.” TARTA did not provide a formal definition of a trip denial. TARTA managers indicated in interviews that the agency’s informal definition of a trip denial is a trip that cannot be provided at all or a trip that is provided more than 60 minutes from the pickup time requested. FTA’s working definition also includes when a rider requests a next-day trip and the transit agency can only offer a trip that is outside the one-hour negotiating window. This represents a denial regardless of whether the rider accepts such an offer.

Reviewer observations of TARTA’s trip reservation process found that no trip requests were denied and that all trip times offered were within 60 minutes of the times requested. Prior to October 2016, when requested trip times could not be accommodated, it was TARTA’s practice to have reservations agents offer two alternate times 60 minutes before and 60 minutes after the requested time. In October 2016, TARTA revised this practice and began offering times that are only 30 minutes before and 30 minutes after the requested time. This practice is still in effect and was the trip booking practice observed during the review.

Missed Trips

In its written response to FTA's initial information request, TARTA defines a missed trip as follows: *if a driver arrives after a pickup window has closed and the rider either no longer wants the ride or is unreachable*. During the on-site review, TARTA managers clarified that trips are also coded as missed if reservation or scheduling errors cause the trip to not be provided or if drivers do not wait the required time for riders to board. TARTA does not have a formal or informal performance standard for missed trips.

TARTA reports show a small number of missed trips each year. As shown in the table above, the agency reported 502 missed trips out of 362,848 trips scheduled (0.14 percent) in calendar year 2014. In calendar year 2015, the rate of missed trips increased slightly to 0.26 percent of trips scheduled. In the first 11 months of calendar year 2016, missed trips represented only 0.11 percent of trips scheduled.

With the assistance of TARTA staff, review team members generated a special report of trips in January 2017 that had been cancelled late, cancelled at the door, no-showed, and missed. The report showed scheduled as well as actual vehicle arrival and departure times. The review team analyzed 50 trips randomly selected from the report to determine if these trips had been coded correctly. Reviewers found that in all cases where vehicles arrived late or did not wait the required five minutes within the on-time window for riders to board, the trips were coded as missed. All 50 trips analyzed were coded correctly.

No substantial numbers of trips with excessive trip lengths

Requirement: Under 49 CFR §37.131(f)(3)(i)(C), the transit agency must provide ADA 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 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, no deficiencies were found with the requirement that ADA paratransit service be provided without substantial numbers of trips with excessive trip lengths.

Team members reviewed on-board ride time data reported by TARTA and conducted an independent analysis to compare ADA paratransit and fixed route on-board ride times for a sample of 30 long trips taken during the month of January 2017.

Trip Length Definition and Performance Standard

TARTA managers indicated in on-site interviews that TARTA has not established a formal definition of an excessively long trip or a formal performance standard regarding excessively

long trips. TARTA had responded to FTA's request for a performance standard as follows: *All efforts are made to keep maximum ride times under an hour, though this is not always possible for very long distances, traffic, weather, or construction. In these cases, comparison is done against a similar fixed-line trip.* Page 6 of the TARPS ADA Rider Guide states: *Expect your trip to last approximately one (1) hour. Your on board travel time may vary depending on the travel distance, traffic, weather and construction.*

Monitoring and Reporting of On-Board Ride Times

TARTA examines on-board ride times as part of its complaint investigation process. If riders submit complaints about excessively long ride times, TARTA will manually compare the on-board ride time of a particular trip to a similar trip made on the fixed-route system. In addition, Trapeze scheduling software produces a Time and Distance report which provides detailed information about all trips that exceed a specified on-board travel time. Time and Distance reports provide trip information by day and by vehicle run and are quite lengthy - typically 20 to 30 pages long for one weekday. TARTA does not generate and use these reports to identify the number and percent of trips each month that are longer than 60 minutes.

To get a sense of TARPS' travel time performance, the review team examined Time and Distance reports for three randomly-selected days in 2016. The following table shows the results of this analysis. Between 93 and 130 trips had ride times of more than 60 minutes on these days. This was between 9.3 percent and 13.0 percent of all trips provided. In total, there were 317 trips over 60 minutes on these days, which was 10.7 percent of all trips provided.

TARTA: Reported Travel Time Data Randomly-Selected Days in 2016			
Date	Number of Trips with Ride Times of More Than 60 Minutes	Total Trips Provided	Percent of Total Trips Provided
September 21, 2016	93	968	9.6%
October 13, 2016	130	996	13.0%
November 8, 2016	94	1,008	9.3%
Totals	317	2,972	10.7%

Comparison of ADA Paratransit and Fixed Route On-Board Ride Times

To determine whether TARPS ride times are comparable to TARTA fixed-route ride times, the review team compared travel times on both modes for a sample of 30 trips taken during January 2017. TARTA staff generated a Time and Distance Report showing all ADA paratransit trips performed in January 2017 with actual ride times over 60 minutes. The report showed 1,217 trips over 60 minutes in length, which was 4.9 percent of the 24,938 total trips provided for the month (Note that this long trip rate was significantly less than the rates for the sample days in the

latter part of 2016, as shown in the table above). Reviewers then selected a random sample of 30 long trips (a 2.5 percent sample). Using TARTA's online trip planner, team members identified the total travel time necessary to complete each trip using fixed route service. (Ride times generated by the trip planner included actual scheduled on-board time plus wait time for any transfers. To these totals, reviewers added 20 minutes estimated walk time.)

The following table shows the results of this comparison. Travel times using TARPS were considered acceptable if they were within 20 minutes of the equivalent travel using fixed route, and excessive if more than 20 minutes longer than fixed route travel. Sixty percent of the 30 sample TARPS trips showed travel times shorter than or similar to fixed route trip lengths. Forty percent (12 trips) showed longer time spent on the vehicle than if fixed route had been used. Of these, three were longer by more than 20 minutes.

TARTA: ADA Paratransit/Fixed Route Trip Length Comparison Selected Trips Exceeding 60 Minutes January 2017			
	Trips Examined	Percentage of Sample Trips	Average Time Difference (minutes)
Trip length less than fixed route	18	60%	-19
Trip length similar to fixed route	0	0%	0
Trip longer than fixed route	12	40%	18
by less than 20 minutes	9	75%	-
by 20 minutes or more	3	25%	-
Total	30	-	-

Extrapolating these results to all trip over 60 minutes long in January 2017 suggests that about 304 (1.2 percent) of the 24,938 TARPS trips provided that month had excessive travel times, and 98.8 percent of trips had travel times comparable to fixed route.

No operational patterns or practices limiting the availability of service to ADA eligible people

Requirement: This section also prohibits any operational patterns or practices that significantly limit availability of service to ADA 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 the requirements that ADA paratransit service be provided without the use of any operational patterns or practices that significantly limit the availability of service to ADA eligible people as described below. Specifically, deficiencies were found regarding TARTA's lack of a standard for or monitoring of telephone hold (queue) times. Deficiencies were also found with TARTA's on-time drop-off scheduling parameters, which do not conform to the agency's stated standard or FTA guidance, and with the fact that in practice, TARTA does not appear to be scheduling to appointment time.

The review team examined how TARTA defines on-time drop-offs and telephone hold times and the standards set for on-time drop-off performance and telephone performance. Team members then examined TARTA's reported on-time drop-off performance and telephone hold times.

On-Time Drop-Offs

TARTA did not provide a definition of an on-time drop-off or a performance standard for on-time drop-offs in its written response to FTA's initial information request. TARTA managers indicated during on-site interviews that a drop-off is considered on-time when the customer arrives up to or before the appointment time. Managers confirmed that there is no formal or informal performance standard for on-time drop-offs.

An agency's negotiation and scheduling process must account for the fact that, for some riders taking some trips, arrival time is more important than departure time, and allow those riders to request either a desired pickup time or a desired drop-off time. Reviewers noted that the TARPS rider guide indicates that riders can book trips by stating either a desired pickup time or a desired arrival time. However, team members observed that in practice, reservations agents appear to guide riders toward pickup times, asking "What time would you like to be picked up?" or a similar query when booking trips. They do not solicit appointment times or desired arrival times. When riders did indicate an appointment or desired arrival time, this was not recorded by agents in the scheduling system.

(Reviewers also observed that if requested pickup times were negotiated, riders often opted for pickup times later than what was initially requested, potentially leading to trip bookings that do not allow enough time to get riders to appointments on time.)

Reviewers examined how Trapeze parameters were set for booking and scheduling trips based on appointment times. The "Tolerance – Dropoff early" parameter was set at 15 minutes before the stated appointment time; the "Tolerance – Dropoff late" parameter was set for 15 minutes after the appointment time. These settings would result in scheduling options that would get riders to appointments no more than 15 minutes early--but also would permit scheduling options that get riders to appointments up to 15 minutes late. Reviewers noted that the "Tolerance – Apply to Dropoff" parameter was set to "No," which has the effect of instructing the Trapeze system to not consider early and late drop-off settings at all when scheduling any trips booked with appointment times. These parameters and TARTA's reservations procedures appear to indicate that in practice, TARTA is not scheduling to appointment (drop-off) time.

Recorded On-Time Drop-off Performance

As previously discussed, appointment times are not typically captured or recorded during the TARTA trip booking process. However, the On Time Performance Reports available in the Trapeze system and run for the six-month period September 2016 through February 2017 show a small number of trips with appointment times. TARTA managers stated that these were likely dialysis subscription trips that have been in the system for some time. They indicated that appointment times for dialysis trips used to be entered into the trip record. As a result, a few of the longer-standing dialysis trips still include appointment times.

The following table provides on-time performance information for the small number of trips with appointment times from September 2016 through February 2017. It shows the number of trips with appointment times, the percentage of these trips to the total trips scheduled for the month, and the on-time drop-off performance for these trips.

As shown, an average of only 658 trips per month had appointment times included in the trip record, representing only 2.8 percent of all trips scheduled per month. The number and percent of trips with appointment times also is declining over time since only some dialysis trips booked in the past use appointment times: In September 2016, 824 trips; in February 2017, 561. On-time drop-off performance averaged 75.4 percent for this six-month period and ranged from 68.4 percent in September 2016 to 75.4 percent in February 2017.

It should also be noted that since the setting related to trips with appointment times allows trips to be dropped off up to 15 minutes late, it is possible that the percentage of trips considered “on-time” includes trips dropped-off up to 15 minutes after the recorded appointment time.

TARTA: Reported ADA On-Time Drop-Off Performance September 2016 – February 2017			
Month, Year	Number of Trips With Appointment Times	Percentage of All Trips Scheduled	Percentage of Trips Dropped- Off On-Time
September 2016	824	3.4%	68.4%
October	720	2.9%	70.8%
November	657	2.7%	72.0%
December	546	2.5%	72.0%
January 2017	642	2.6%	69.5%
February 2017	561	2.4%	75.4%
Monthly Average	658	2.8%	71.4%

Calculated On-Time Drop-off Performance

A random sample of 192 trips was identified for independent on-time performance analysis using completed driver manifests for the sample week of January 22 through 28, 2017. Since so few TARPS trips have appointment times, this random sample yielded only four trips with appointment times, which represents an insignificant sample size. The results of this limited analysis: Three of the four trips (75 percent) had on-time drop-offs. The one trip that was dropped-off late was more than 15 minutes late.

Telephone Performance

The TARPS customer service unit handles all calls from riders between 8 a.m. and 5 p.m., seven days a week, 365 days a year. This includes reservations, cancellations, Where’s My Ride?, trip confirmations, and general information calls. During reservations hours, no calls are taken

directly by dispatchers. For Where's My Ride? calls, reservations agents can access the Trapeze dispatch screen to give callers information about expected arrival times. If trips are running late, agents use internal connections to contact dispatchers and then relay information from dispatchers to riders. After hours, when agents are not on duty, all calls are directed to the dispatch center which is staffed during all hours of TARPS operation. TARTA schedules staff to cover all reservations hours, supplemented by nearby workers. TARTA has budgeted five full-time reservations positions. At the time of the review, one position was vacant (unfilled).

In terms of equipment, TARTA uses a Mitel state-of-the-art automatic call distribution (ACD) telephone system. The system is equipped with two T1 lines, one that is dedicated to the TARPS service and one that is used by TARTA administration and fixed route service. The T1 line dedicated to TARPS handles all incoming as well as outgoing calls and all parts of the operation, including reservations, scheduling, dispatch and administration. Each T1 line is capable of handling 24 calls at any given time. The Mitel system has remote monitoring capability which allows TARPS managers to monitor calls, the size of the queue, and hold times in real time. The system is also equipped to record all incoming calls.

TARTA did not provide a telephone performance standard in its written response to FTA's initial information request. TARTA managers confirmed during on-site interviews that there is no formal or informal telephone performance standard.

TARTA information systems managers told reviewers that the agency had limited telephone service reporting capability. They could provide "Agent Status" reports that showed the amount of time that each reservations agent was logged-in and average talk time, but did not have detailed hold time reports that could show either maximum or average hold times for incoming calls by day or hour of the day. They noted that they had disaggregate individual call data available, but no single report that sorted the data and provided meaningful hold time reports.

At the request of the review team, systems staff prepared special reports of TARPS call hold times for the sample week of January 22 to 28, 2017. They were able to access raw individual call data and aggregate it by hour of the day for the week. Given the level of effort required, the resulting reports (summarized below) are limited in coverage.

Tabulation of telephone performance data for the Customer Service unit for the sample week shows, across a seven-day period and by hour of the day, the percentage of all calls that were answered within three minutes and within five minutes. Before 8 a.m. and after 6 p.m. when the reservations office was closed and all calls were answered by dispatch, call volumes were very low and staff was able to answer all calls within three minutes. Between 8 a.m. and 6 p.m., when reservations was open, less than 90 percent of calls were answered within three minutes for eight of the ten hourly call periods. From 2 p.m. to 3 p.m., only 81.7 percent of calls were answered within three minutes. From 3 p.m. to 4 p.m., only 73.5 percent of calls were answered within three minutes and only 88.9 percent of calls were answered within five minutes.

TARTA: Customer Service Unit Telephone Performance by Hour of Day January 22 – 28, 2017		
Hourly Period	Percentage of Incoming Calls Answered Within 3 Minutes	Percentage of Incoming Calls Answered Within 5 Minutes
5 - 6 a.m.	100%	100%
6 - 7 a.m.	100%	100%
7 - 8 a.m.	100%	100%
8 - 9 a.m.	85.7%	99.0%
9 - 10 a.m.	94.7%	98.8%
10 - 11 a.m.	87.4%	96.7%
11 a.m. - 12 p.m.	92.9%	97.0%
12 - 1 p.m.	85.0%	96.0%
1 - 2 p.m.	85.2%	90.9%
2 - 3 p.m.	81.7%	92.4%
3 - 4 p.m.	73.5%	88.9%
4 - 5 p.m.	88.3%	93.5%
5 - 6 p.m.	86.2%	97.6%
6 - 7 p.m.	100%	100%
7 - 8 p.m.	100%	100%
8 - 9 p.m.	100%	100%
9 - 10 p.m.	100%	100%
10 - 11 p.m.	100%	100%
11 p.m. - 12 a.m.	100%	100%

Corrective Action and Schedule: Within 60 days of the issuance of the final report, TARTA must provide to the FTA:

- an agency-adopted standard for telephone performance. Guidance on establishing an appropriate telephone performance standard is provided in FTA Circular 4710.1, page 8-25.
- documentation of more sufficient telephone reporting and monitoring. Enhanced telephone performance reports will allow TARTA to determine if it is meeting established standards for telephone performance, and allow monitoring by day and by hour of the day.
- an agency-adopted definition of on-time drop-off and a performance standard for on-time drop-offs.
- documentation that on-time drop-off parameters in the scheduling system have been corrected, as appropriate, and that reservations agents have been instructed to request appointment as well as pickup times from customers and to record appointment times in the trip booking process.

- documentation that appointment times are displayed in the immediate visible portion of the dispatch screen and that dispatchers are monitoring on-time drop-offs as well as on-time pickups.

Vehicle Fleet and Vehicle Availability

To determine if there are presently sufficient vehicles available to cover scheduled runs with an adequate supply of spare vehicles, the review team examined the TARTA ADA paratransit fleet roster, run structure and daily vehicle availability records.

TARTA owns a fleet of 76 body-on-chassis minibuses that it uses to operate the TARPS service. The following table shows the fleet by model year and mileage range.

TARTA: ADA Paratransit Vehicle Fleet as of March 2017		
Model Year	Number of Vehicles	Mileage Range
2005	8	221,582 – 346,325
2006	1	305,665
2008	4	246,198 – 277,285
2009	11	225,399 – 255,600
2011	37	175,518 – 207,804
2015	15	40,719 – 55,844
Total	76	

The average vehicle age is 5.9 years. The fleet also has high mileage: 60 of the 76 vehicles have more than 175,000 miles of service and the average vehicle mileage is 181,970. TARTA managers noted that eight of the nine 2005 and 2006 vehicles are “semi-retired”-- available for use only as a last resort. Excluding those vehicles leaves an effective available fleet of 68.

Reviewers examined daily vehicle availability lists and compared them to peak pullout requirements to determine if there are an adequate number of vehicles to meet weekday pullout. To summarize the information collected: The peak weekday pullout requirement at the time of the review was 57 vehicles. The total effective fleet, as noted above, was 68 vehicles. Between four and six vehicles were out each day for repairs. Another five to six were in the “PM service line” scheduled for regular maintenance. This left only 56 to 59 vehicles available for service at the start of each day. TARTA managers noted that on the two days when there was one less vehicle available than needed, the maintenance staff completed preventive maintenance on one of the vehicles in the PM service line to cover all scheduled runs and avoid having to use one of the semi-retired spares.

This analysis indicated that TARTA has just enough vehicles to cover scheduled runs and operates with few, if any, spares (aside from the “semi-retired” spares). Additional vehicles are needed to replace some very old vehicles and allow for a more adequate spare ratio.

The review team also found that the five contractors used by TARTA to provide weekend service have a collective fleet of 126 vehicles. This contracted fleet is more than adequate to meet weekend needs and demand.

Driver Availability

Reviewers interviewed the TARTA Human Resources Director and examined the driver roster, driver turnover, and driver availability to determine if there were enough drivers to operate all scheduled runs. TARTA managers provided a driver roster that showed 63 full-time and 13 part-time drivers. Four of the full-time drivers were on long-term leaves of absence at the time of the review, which left 59 full-time and 13 part-time drivers available for service.

TARTA managers commented that the current workforce is not sufficient to cover all of the runs that have been created. They noted that 10 runs on the most recent run bid were open (unassigned) due to a lack of drivers. The TARTA scheduler indicated that because these runs do not have a driver assigned, she does not schedule trips to them, but instead has to fit all trips on few runs. She indicated that schedules would not be as tight and on-time performance might be improved if there were more drivers to cover some of the open runs. The HR Director indicated that additional driver positions are approved and that there is budget for more drivers, but that the challenge is recruitment and retention.

A review of the driver seniority roster showed that 30 drivers (40 percent) had less than two years of experience as TARPS drivers. Employment records for the 12 months before the review indicate an annual driver turnover rate of 30 percent. The Director advised that TARTA is constantly recruiting and training new drivers, but that high turnover remains an issue. The principal reason appears to be low pay. Driver wages have remained the same for five years, after the expiration of a collective bargaining agreement.

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.

The review team examined monthly TARPS ridership reports for the 12-month period from January 2016 through January 2017. The reports showed that the volume of subscription service had steadily declined from 44 percent of all monthly trips in January 2016 to only 23 percent of trips in January 2017. The review team also requested special daily ridership reports showing the amount of subscription service by hour of the day for Monday, March 6, 2017 and Tuesday,

March 7, 2017. These reports showed that subscription service was at its highest from 8 a.m. to 9 a.m., 4 p.m. to 5 p.m., and 10 p.m. to 11 p.m. when it ranged from 37 to 44 percent of all trips.

As noted elsewhere in this report, reviewers also found no indications suggesting that there are capacity denials in the TARTA ADA paratransit service.

6.6 Reasonable policies for proposed service suspensions for missing scheduled trips and the right to appeal

Requirement: Section 37.125(h) of the DOT ADA regulations states that transit agencies “may establish an administrative process to suspend, for a reasonable period of time, the provision of complementary paratransit service to ADA eligible individuals who establish a pattern or practice of missing scheduled trips.” FTA has permitted transit systems to regard late cancellations as no-shows if and only if they have the same operational effect on the system as a no-show, generally less than 1–2 hours of the scheduled trip time.

Under 49 CFR §37.125(h)(1), trips missed by riders for reasons beyond their control, including trips missed due to operator or transit system error, must not form the 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 appeals 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, no deficiency was found with the requirements concerning the transit agency’s no-show and late cancellation policies, the reasonableness of proposed suspension periods and the required process for appealing proposed suspensions of service, and with how the transit agency communicates these requirements to eligible riders and potential users of the service.

TARTA’s written Late Cancellation/No-Show Suspension Policy excludes no-shows beyond the rider’s control, includes a 10-ride threshold, considers frequency of use, communicates the rider’s right to appeal, and imposes progressive sanctions. Staff stated that no-shows are routinely reversed upon request. Reviewers observed that the agency’s ongoing tracking of no-shows and handling of suspensions and appeals appears thorough and appropriate.

Agency Policy

TARTA’s policy provisions, found in the TARPS ADA Rider Guide and website, include:

- A Late Cancellation is defined as occurring less than two hours before scheduled pickup time. One half point is assessed for each.

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- A No-Show is defined as a cancellation at the door (unless due to late arrival of the vehicle or operator's failure to assist), or when the rider does not board within five minutes after the vehicle's arrival during the 30-minute scheduling window. No-shows receive one point each.
 - Riders can dispute no-shows and request that these be researched and removed. No-shows beyond the rider's control do not count toward the total. Vehicle no-shows do not count as rider no-shows.
 - Before issuing a no-show, TARPS will attempt to contact the rider by telephone. If this action is unsuccessful, a dispatcher codes the trip as a no-show.
 - Any rider who schedules 10 or more trips per month faces the possibility of suspension when: rider schedules 10 or more trips in a month, *and* 10 percent of rides and three infractions occur in a 30 day period.
 - Within a rolling 12-month calendar, a first offense results in a warning letter; a second, suspension of up to 10 days after written notification; a third, up to 30 days' suspension after written notification. The record is cleared after 12 months. The written notification includes a form to request an appeal, and information about the appeal process.
 - If the rider appeals the suspension, it will be stayed pending the appeal outcome. Appeal decisions will be rendered in writing and within 30 days.

Handling of No-Shows, Suspensions, and Appeals

Reviewers examined no-show and service suspension records to verify that TARTA appropriately tracks and monitors no-shows and suspensions; that suspension notices state that rider has the right to appeal and provide the required information and materials to do so; and that the appeal process offers appropriate separation of functions, stays the suspension of service, and meets regulatory requirements for timing. During calendar year 2016, TARTA received one or two service suspension appeals per month, for a total of 20. Of these, four suspensions were upheld, a fifth was upheld but reduced to 10 days, and the remaining 15 were overturned.

Reviewers noted that TARTA sends warning letters before a rider has reached the point of suspension, which FTA considers an optional good practice. However, it was observed that TARTA warning letters do not enclose a listing of the no-shows incurred. Effective no-show suspension warning letters list the no-shows recorded, note that additional no-shows could result in a suspension, and encourage riders to call if they feel any of the no-shows were recorded in error or were outside the rider's control. Providing this notification after only a few no-shows makes it easier for riders to recall the actual circumstances surrounding the no-shows and discourages future no-shows by the rider.

Review team members examined vehicle manifests for January 2017 to ascertain whether drivers had properly coded a random sampling of 100 missed trips, no-shows, and late cancellations, comparing the date and time with the pickup window of each trip request. The analysis showed that the drivers' initial coding was appropriate for 100 percent of the sample trips.

6.7 Complaint Resolution and Compliance Information

Requirements: Under 49 CFR §§ 27.13(a) and 37.17(a), the transit agencies 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 transit 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, a transit 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: Deficiencies were found with the requirements regarding complaints procedures and resolution. TARTA has not established a formal written process for TARTA complaint handling or a performance standard and tracking procedure for timely and equitable complaint resolution. No deficiencies were found with the requirements to designate an individual to coordinate compliance with DOT ADA regulations; to advertise sufficiently the process for filing complaints; or the requirements for complaint record retention.

The review team examined public information regarding rider comments and complaints as well as TARTA's verbal complaint policies and procedures. They interviewed the individual designated to handle TARPS complaints. Reviewers analyzed ADA-related complaints submitted to TARTA during the 12 months preceding the review, inspected the electronic system used by TARTA to record, track and store all customer comments, whether fixed route or ADA paratransit, and reviewed the handling of all complaints received during calendar year 2016. Managers stated and team members verified that TARTA retains in its electronic database complete complaint records for fixed route and ADA paratransit service for far longer than the required one year (for original complaint reports) and five years (for summaries).

TARTA solicits riders' comments and complaints in several ways and in multiple languages: The TARTA website provides a complaint form, phone number, email link, and mailing address for comments and complaints. An online comment/complaint form can be downloaded, printed and mailed. The TARPS ADA Rider Guide invites customer comments or complaints and includes the phone number, email address, and mailing address to be used.

Complaint process

Under §37.17 (a) and §27.13 (a), transit agencies must have procedures in place to address complaints promptly and equitably. TARTA did not provide formal written complaint handling procedures or standards. The TARTA Customer Service Representative is the person charged with maintaining the TARTA complaint process. TARTA Customer Service receives complaints, enters the information into the agency's automated complaint management system, and electronically forwards these to the designated TARPS representative. He in turn sends the reports to the appropriate TARTA operations personnel in the expectation of timely research and response, but without any formal performance standard for complaint clearance. Every six weeks or two months, he follows up by email regarding complaints still listed as pending. When research is completed, the information is entered in the system, any response efforts are documented, the complaint is labeled "founded" or "unfounded" and a "finished" date is entered. TARPS also receives some complaints directly from riders, elected officials, and when sent or reported to managers at community meetings. In these cases, TARTA staff enter the information into the TARTA complaint management system directly and then begin the circulation and investigation process.

Regarding complaint investigation and follow-up, TARTA and TARPS have the ability to review on-board digital video and recorded driver radio communications to investigate customer complaints, safety concerns and issues concerning TARPS service. Because incoming calls are recorded, TARTA can investigate complaints about telephones, reservations, and dispatch. Trapeze software permits examination of ride scheduling, vehicle use, and vehicle maintenance.

TARTA does not appear to formally track or report complaint processing times. The review team examined the handling of complaints and commendations documented in the 2016 TARTA database. In most cases, the investigation was documented and when a response was provided, this was also documented. The database records the date received and the date finished. These intervals ranged from one to four weeks, and occasionally six weeks. As they examined TARTA ADA paratransit complaints for calendar year 2016, review team members verified that customer complaints filed with FTA were also logged into the TARTA complaints system.

TARTA complaint data

TARTA analyzes ADA paratransit complaints by month using 16 categories. Monthly reports include comparative complaint totals by subject and complaints per thousand as indices of service quality. Weekday service provided in TARTA vehicles generated a complaint rate of less than one complaint per thousand completed trips for November and December 2016, and 1.5 complaints per thousand in January 2017. For January, the total complaint rate including weekend contractors was 1.6 per thousand completed trips.

Analysis by reviewers showed that of a total of 382 TARPS rider complaints, both founded and unfounded, entered in the TARTA database for calendar year 2016, 155 (41 percent) appeared capacity constraint-related. The issues reported were: "late" (includes long time on vehicle), 74 complaints for the year; "scheduling" (includes not obtaining desired time), 47; "no-show", 26; "early", 6. No reports cited telephone access or service denials issues.

Corrective Action and Schedule: Within 60 days of the issuance of the final report, TARTA must provide to the FTA for review:

- Agency-adopted procedures and time standards for complaint handling; and
- Documentation of agency monitoring of complaint resolution.

6.8 Nondiscrimination

Requirement: Under 49 CFR §37.5, the transit agency is 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 denying service to people with disabilities on the basis of disability, including and not limited to: requiring persons with disabilities to use ADA paratransit instead of the fixed-route system, requiring paratransit-eligible riders and potential applicants to use other special transportation services rather than the ADA paratransit service (such as may be operated by social and/or human-services agencies); requiring persons with disabilities to travel with PCAs; or imposing user fees or special charges upon people with disabilities and requiring people with disabilities to use designated priority seating.

Review team members examined the TARPS ADA Rider Guide, website, and other service information and compared these with service and eligibility data and information gathered during on-site observations, interviews, and vehicle inspections. Reviewers identified no discrepancies between the transit agency's published policies and standards concerning discrimination against persons with disabilities in connection with the provision of transportation and the procedures and practices followed by TARTA managers and contracted personnel. The agency does not impose special charges for providing required accessible services to individuals with disabilities. No evidence suggested that persons with disabilities were being steered to alternate transportation services during eligibility, reservations, or other processes. There were no indications that eligible riders were being compelled to travel accompanied by an attendant.

Transit agencies that receive federal funds also have obligations under Title VI of the Civil Rights Act of 1964 for ensuring individuals with limited English proficiency (LEP) can access their programs and activities. Using its website, TARTA makes readily available fixed route service information, schedules and maps, and ADA paratransit eligibility and service information, in three languages—Spanish, Chinese, and Arabic. Reviewers learned that TARTA is providing in-person interpreter services and non-English-language service information upon request. In addition, TARTA subscribes to a telephonic interpretation language line service that provides real-time interpretation in multiple languages.

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 TARTA communicates, manages and/or oversees training requirements with respect to staff.

Team members met with training personnel at TARTA and also discussed training requirements with Black & White Cab, the contractor who provides approximately 75 percent of TARPS' weekend service. Reviewers also interviewed six TARTA drivers and two Black & White Cab drivers, in part to determine their familiarity with operating policies and procedures. The review team also examined training curricula and materials.

TARTA requires training to proficiency/mastery and the hours listed in TARPS' Operator Proficiency Handbook for New Hires are minimums only. As agency employees, drivers undergo an average of 40 to 50 hours of classroom training covering general orientation for service policies and procedures, defensive driving, accident scene reporting, passenger assistance procedures, wheelchair securement, disability awareness, and safe equipment operation. Following classroom training, new drivers move outside to a progressive program of 20 hours of observation riding, then 8 hours of behind the wheel (BTW) work in a closed course setting, and final pairing with a seasoned driver-trainer. Here novice drivers first observe, and then undergo a minimum of 10 hours of driving time without passengers. BTW training includes instruction in lift operation and proper securement of mobility devices and passengers. Drivers must demonstrate proficiency in the safe operation of all equipment before completing BTW training. This is followed by approximately 40 hours of cadet training--driving a full route with passenger pickups while supervised, and then a final evaluation route accompanied by a supervisor. TARTA also requires three mandatory refresher trainings per year.

The contracts between TARTA and the private contractors include key service requirements such as passenger assistance as needed, on-time performance and the on-time window, and maximum travel time. The contracts also include requirements for driver qualifications and training, and vehicle design and maintenance.

The review team interviewed eight drivers, six at TARPS and two at Black & White Cab, including both recent hires and long-timers. Drivers were asked whether the training provided adequately prepared them for the job; to describe the on-time performance window; to describe no-show procedures; and to indicate the level of assistance provided to riders.

- All eight drivers indicated that the training they received adequately prepared them for the job, although one voiced the opinion that training is of lesser quality now, saying that it used to require a month and now only two weeks are allocated. Several indicated that

they felt the training was very good. One described as excellent a recent training on serving riders with autism, adding that drivers would benefit from similar training on serving riders with mental illness or cognitive issues.

- Five drivers properly described the on-time window as being from 10 minutes before the scheduled pickup time to 20 minutes afterward. Three drivers, including two taxi operators, did not seem to understand the pickup window and what is an on-time pickup.
- All eight drivers properly described the no-show procedures that include waiting at least five minutes within the on-time window and always contacting dispatch before recording riders as no-shows.
- All eight drivers stated that they provide door-to-door service for all riders and discussed details of this service.
- Three of the six TARTA drivers mentioned driver shortages and low driver pay.

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

Requirements: Under 49 CFR §37.23, the transit agency must ensure that any private entity with which it has entered into a contract or other arrangement to provide ADA 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.

The transit agency must have policies and procedures in place to monitor the performance of its contractor(s) and ensure that these requirements are met. The transit agency is not permitted to neglect monitoring or to limit its monitoring to the terms and conditions of its contract or other arrangement with the private entity or entities.

Discussion: During this compliance review, no deficiencies were found with regard to ADA compliance issues for contracted ADA complementary service, including and not limited to service provision and vehicle acquisition, or with how the transit agency communicates, oversees and/or manages its obligations concerning contracted service with respect to eligible riders, applicants, and potential applicants.

TARTA managers monitor all aspects of service provision, whether by TARTA operators in TARTA vehicles or by contracted providers. This includes comprehensive tracking of service as it takes place. After service has been provided, TARTA generates weekly, monthly and special reports analyzing performance issues. In addition, staff tabulate customer complaints by subject and contractor and compare these with performance information to identify any potential vehicle and service concerns.

TARTA determines ADA paratransit eligibility in-house. TARTA also provides all weekday ADA service directly with its own drivers and vehicles. Five private contractors are engaged to provide all weekend TARPS service. In January 2017, contractors provided 2,852 weekend trips, about 11.4 percent of all TARPS trips that month.

TARTA schedulers assign trips to the five contractors based on their capacity and cost. Trip assignments are transmitted to each contractor in the form of run manifests as well as a master list of all trips. Each contractor then provides the service with its own employees and vehicles, and manages service delivery with its own dispatch staff.

Contractors complete the assigned run manifests and/or supplement the master trip lists by providing actual pickup and drop-off times and trip codings (i.e., no-show, cancel, missed, etc.). TARTA staff then enter the actual times and codings into the Trapeze system and combine it with weekday data. As part of the data entry process, TARTA staff examine each trip provided to ensure that the actual times are appropriate and that the trip codings are correct. This level of data review allows TARTA to have a detailed understanding of contracted service delivery and contractor performance.

The contracts between TARTA and the private contractors include key service requirements, such as rider assistance as needed, on-time performance and the on-time window, and maximum travel time. The contracts also include requirements for driver qualifications and training, and vehicle design and maintenance.

While onsite, team members visited TARTA's major contractor, Black & White Cab and Paratransit. Reviewers inspected two of the contractor's accessible vehicles and confirmed that the vehicles met DOT ADA lift, securement system and door height requirements. Three driver files were examined for documentation of training; these showed evidence of required training.

TARTA managers indicated that they do not conduct regular on-site reviews or desk audits of their contractors. Desk audits typically include, among other things, inspection of vehicles and driver training documentation, and are useful to ensure that contractors are complying with all service and contract requirements. The contract manager noted, however, that under state law, the state police inspect and examine all accessible vehicles once each year for appropriate design and maintenance.

6.11 Service Provided by Another Public Entity (if applicable)

Requirement: Part 37 of title 49, Code of Federal Regulations, applies to any public entity that provides designated public transportation or intercity or commuter rail transportation. Under 49 CFR §37.21(b), for entities receiving Federal financial assistance from the Department of Transportation, compliance with the applicable requirements of Part 37 is a condition of section 504 of the Rehabilitation Act of 1973 and of receiving financial assistance. Where a transit agency relies on another public entity to provide paratransit service on its behalf, the transit agency remains responsible for meeting the requirements of 49 CFR Part 37. In other words, the transit agency must ensure that the service provided on its behalf meets all of the requirements that the transit agency would be required to meet, if the transit agency provided the service directly. The transit agency must have policies and procedures in place to monitor the performance of such service to ensure that these requirements are met; the transit agency is not permitted to defer to the public entity operating the service.

Discussion: This provision is not applicable to TARTA. No public entities provide ADA complementary paratransit service on behalf of this transit agency.

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 systems will have a mechanism in place to ensure that 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 regard to TARTA's efforts to coordinate service with other fixed route operators with overlapping or contiguous service areas or jurisdictions.

The review team examined TARTA's website and published materials and interviewed management and contracted staff. TARTA provides TARPS service to eligible individuals anywhere within Toledo and to eight adjoining communities. No formal linkages with public transit or human services transportation in adjoining areas have been established. However, team members learned that TARPS transports riders to locations near the boundaries of its service area where individuals can access other transportation. TARPS riders remain responsible for making their own travel arrangements or reservations with Lake Erie (MI) Transit or Perrysburg (OH) service, if a reservation is required, and paying fares separately for trips on each system.

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Summary Table of Compliance Review Findings

Item	Requirement of 49 CFR Part 27 or 37 or 38	Reference	Site Visit Finding deficiency/no deficiency or advisory comment	Finding(s) of Deficiency	Suggested Corrective Action	Response Days/Date
1	Comparable paratransit service	37.121	ND	-	-	-
2	Absence of administrative burden	37.125 & 37.5	ND	-	-	-
3	Paratransit eligibility standards	37.123 (e)(1)-(3)	ND	-	-	-
4	Accessible information	37.125(b)	ND	-	-	-
5	Eligibility determinations within 21 days	37.125(c)	ND	-	-	-
6	Written eligibility determinations including specific reasons for denials or temporary or conditional	37.125(d) & (e)	D	Deficiencies were found with the requirement for written eligibility determinations that provide specific reasons for decisions in cases of temporary, conditional, or non-eligibility. TARTA conditional letters contain no specific reasons; denial letters often do not provide specific reasons for decision.	TARTA must provide to FTA for review: revised letter templates and copies of recent determination letters that include specific, transit-based reasons for determinations of ineligibility, temporary or conditional eligibility.	Within 60 days of the issuance of the final report

Item	Requirement of 49 CFR Part 27 or 37 or 38	Reference	Site Visit Finding deficiency/no deficiency or advisory comment	Finding(s) of Deficiency	Suggested Corrective Action	Response Days/Date
7	Recertification of eligibility at reasonable intervals	35.125(f)	ND	-	-	-
8	Administrative appeals process for denials and conditional eligibility	37.125(g)	D	Deficiencies were found with the requirements for the administrative appeals process for eligibility: When the appeals panel upholds the initial eligibility determination, letters informing appellants of this outcome do not provide specific reasons for the decision.	TARTA must provide to the FTA for review an updated decision notification letter template which provides specific reasons for any hearing decision that upholds or conditions the original determination.	Within 60 days of the issuance of the final report
9	Complementary paratransit for visitors	37.127	D	Deficiencies were found with the requirements for visitor service and how its availability is communicated to the public.	TARTA must provide to the FTA for review a revised visitor policy statement and public information which clearly state that individuals without eligibility from another system can obtain 21 days of service per year by presenting address information and, if not apparent, documentation of disability.	Within 60 days of the issuance of the final report

Item	Requirement of 49 CFR Part 27 or 37 or 38	Reference	Site Visit Finding deficiency/no deficiency or advisory comment	Finding(s) of Deficiency	Suggested Corrective Action	Response Days/Date
10	Types of service	37.129	ND	-	-	-
11	Service area	37.131(a)	D	A deficiency was found with the requirement to provide ADA paratransit service to eligible persons to and from all origins and destinations within 3/4-mile of fixed bus routes. TARPS service is not provided in Michigan within 3/4-mile of TARTA non-commuter bus routes despite no legal bar to such provision.	TARTA must provide TARPS service to origins and destinations in Michigan within 3/4-mile of TARTA non-commuter bus routes, and provide documentation to FTA that this is being done.	Within 60 days of the issuance of the final report.
12	Response time	37.131(b)	ND	-	-	-
13	Fares	37.131(c)	ND	-	-	-
14	No trip purpose restrictions	37.131(d)	ND	-	-	-
15	Hours and days of service	37.131(e)	D	A deficiency was found with the requirement for comparable days and hours of service: TARPS service is provided until 7 p.m. on Sundays, whereas TARTA non-commuter bus routes 11, 12, 13, and 14 end service at 7:19 p.m.	TARTA must provide documentation to FTA indicating that TARPS service is being made available until at least 7:19 p.m. on Sundays.	Within 60 days of the issuance of the final report.

Item	Requirement of 49 CFR Part 27 or 37 or 38	Reference	Site Visit Finding deficiency/no deficiency or advisory comment	Finding(s) of Deficiency	Suggested Corrective Action	Response Days/Date
16	Absence of capacity constraints	37.131(f)	ND	-	-	-
17	No restrictions on the number of trips provided to an individual	37.131(f)(1)	ND	-	-	-
18	No waiting list for access to the service	37.131(f)(2)	ND	-	-	-
19	No substantial numbers of significantly untimely pickups for initial or return trips	37.131(f)(3)(i)(A)	ND	-	-	-
20	No substantial numbers of trip denials or missed trips	37.131(f)(3)(i)(B) 37.131(3)(1)(B)	ND	-	-	-

Item	Requirement of 49 CFR Part 27 or 37 or 38	Reference	Site Visit Finding deficiency/no deficiency or advisory comment	Finding(s) of Deficiency	Suggested Corrective Action	Response Days/Date
21	No substantial numbers of trips with excessive trip lengths	37.131(f)(3)(i)(c)	ND	-	-	-

Item	Requirement of 49 CFR Part 27 or 37 or 38	Reference	Site Visit Finding deficiency/no deficiency or advisory comment	Finding(s) of Deficiency	Suggested Corrective Action	Response Days/Date
22	No operational patterns or practices significantly limiting service availability	37.131(f)	D	<p><u>Telephone access:</u> Deficiencies were found with TARTA’s telephone hold times and with the agency’s monitoring of telephone performance.</p> <p><u>On-time drop-offs:</u> Deficiencies were found with TARTA’s on-time drop-off scheduling parameters, which do not conform to the agency’s stated standard or FTA guidance, and with the fact that TARTA does not appear to be scheduling to appointment time.</p>	<p>TARTA must provide to the FTA for review:</p> <ul style="list-style-type: none"> • An agency-adopted standard for telephone performance; and • Documentation of more sufficient telephone reporting and monitoring. • An agency-adopted definition of on-time drop-off and a performance standard for on-time drop-offs; • Documentation that on-time drop-off parameters in the scheduling system have been corrected, and that reservations agents have been instructed to request appointment as well as pickup times from callers and to record appointment times in the system; • Documentation that dispatch screens show appointment times and that dispatchers are monitoring on-time drop-offs as well as on-time pickups. 	<p>Within 60 days of the issuance of the final report</p> <p style="text-align: center;">D</p>

Item	Requirement of 49 CFR Part 27 or 37 or 38	Reference	Site Visit Finding deficiency/no deficiency or advisory comment	Finding(s) of Deficiency	Suggested Corrective Action	Response Days/Date
23	Subscription Service	37.133	ND	-	-	-
24	No-show, late cancel and reasonable service suspension & appeal policies	37.125(h) (1)-(3)	ND	-	-	-
25	Complaint Resolution & Compliance Information	27.13(b) & 27.121	D	Deficiencies were found with the requirements regarding complaints procedures and resolution. TARTA has not established a formal written process for TARPS complaint handling or a performance standard and tracking procedure for timely complaint resolution.	TARTA must provide to the FTA for review: <ul style="list-style-type: none"> • Agency-adopted procedures and time standards for complaint handling; and • Documentation of agency monitoring of complaint resolution. 	Within 60 days of the issuance of the final report
26	Non-discrimination	37.5	ND	-	-	-
27	Training	37.173	ND	-	-	-
28	Service under Contract	37.23	ND	-	-	-

Item	Requirement of 49 CFR Part 27 or 37 or 38	Reference	Site Visit Finding deficiency/no deficiency or advisory comment	Finding(s) of Deficiency	Suggested Corrective Action	Response Days/Date
29	Service provided by another public entity	37.21(b)	N/A	-	-	-
30	Coordination of service	37.139(g)	ND	-	-	-

Attachment A: – FTA Notification Letter to the Toledo Area Regional Transit Authority (TARTA)



U.S. Department Of
Transportation
Federal Transit
Administration

Headquarters

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

November 4, 2016

James Gee
General Manager/CEO
Toledo Area Regional Transit
Authority (TARTA)
1127 West Central Avenue
Toledo, OH 43697-0792

Dear Mr. Gee:

The Federal Transit Administration (FTA) is responsible for ensuring compliance with the Americans with Disabilities Act of 1990 (ADA) and the Department of Transportation's (DOT) implementing regulations at 49 CFR Parts 27, 37, 38 and 39 as they apply to public transportation. As part of its ongoing oversight efforts, FTA through its Office of Civil Rights conducts a number of on-site ADA compliance reviews of grant recipients. The Toledo Area Regional Transit Authority (TARTA) has been selected for a review of its ADA complementary paratransit service to take place during the week of March 6, 2017.

The purpose of this review will be to determine whether TARTA is meeting its obligations to provide paratransit service as a complement to its fixed route bus service 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 and analysis prior to the on-site visit, an opening conference, on-site observation and analysis of the TARTA ADA complementary paratransit service, and an exit conference. The entire on-site portion of the review will be completed within four days. FTA has engaged the services of Milligan and Company, LLC (Milligan), of Philadelphia, PA, to conduct this compliance review. As part of the review, the following FTA contractor personnel will be granted temporary access to your TrAMS account: Sandra Swiacki, Habibatu Atta, and Renee Moore. Please do not remove these individuals. FTA will do so at the close of the review. The Milligan 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. on Tuesday, March 7, 2017, to introduce the Milligan team and FTA representatives to TARTA, including you or your designee, the paratransit service manager, the TARTA ADA coordinator, and other key staff. During the opening conference, the review team members will present an overview of the on-site activities.

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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 TARTA paratransit offices for the duration of their visit. Please let us know if you will designate a member of your staff to serve as TARTA's liaison with the review team and to coordinate the on-site review and address questions that may arise during the visit.

So that we may properly prepare for the on-site visit, we request that you provide the information described in Enclosures 1 and 2. Enclosure 1 consists of items that must be received within 30 calendar days of the date of this letter.

Electronic copies of documents are preferred. Please upload them to Milligan's file transfer protocol (FTP) site. Your reviewer will reach out to you concerning the use of the FTP site. Please be prepared to designate a point of contact for your agency, for which user access should be provided. You also have the option of sending the documents via email to Sandra Swiacki at sswiacki@milligancpa.com.

Enclosure 2 consists of items that the Milligan team will review on-site beginning on Tuesday, March 7, 2017, immediately after the opening conference.

We request the exit conference be scheduled for 10 a.m. on Friday, March 10, 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 ADA paratransit service manager, the ADA coordinator, and other key staff attend the exit conference. The FTA Office of Civil Rights will make findings and will provide them to you in a draft report. You will have an opportunity to comment on the draft before FTA finalizes the report. The Final Report, when issued to TARTA, will be considered a public document subject to release under the Freedom of Information Act, upon request.

TARTA representatives are welcome to accompany the review team during the on-site activities, if you so choose. If you have any questions or concerns prior to the opening conference, please contact Britney Berry, Program Manager for this compliance review, at 202-366-1065 or via e-mail at britney.berry@dot.gov.

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

Sincerely,



John Day
Program Manager for Policy and Technical Assistance

cc: Marisol Simon, FTA Region V Administrator
Marjorie Espina, FTA Region V Civil Rights Officer (RCRO)
Stacey Clink, TARTA, Comptroller

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Enclosure 1

The following information must be submitted to Milligan within 30 calendar days from the date of this letter.

1. A description of how ADA complementary paratransit service is structured and provided, including:
 - How trip requests/reservations are handled (by a central reservation office? by the contractor?) and the address(es) where reservations are taken
 - How trips are scheduled (by a central scheduling office? by the contractor?) and the address(es) of the scheduling office(s).
 - How dispatching is handled (centrally? by the contractor?) and the address of the central dispatch office or the contractor's dispatch office(s).

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

2. A copy of the current carrier and broker contract(s), if service is contracted out.
3. A copy of the ADA complementary paratransit Driver Manual
4. A copy of the ADA Complementary Paratransit application & materials, including visitor service
5. Written description of the agency's ADA eligibility appeal process
6. Copies of the ADA Complementary Paratransit Rider Handbook, and/or service brochure, or other documents that explains to the public and eligible riders how trips are requested and how service is provided
7. A copy of the agency's No-Show suspension policy, if applicable
8. A description of the complementary paratransit service standards, including:
 - The on-time performance standards for pickups and drop-off (how is "on-time" defined and what is the goal for the percentage of trips to be provided within each standard?)
 - Trip denials and missed trips (how are these defined and what is the transit agency's standard regarding acceptable numbers or percentages of trip denials or missed trips?)
 - Travel time (on-board time) standards, including maximum travel time (if applicable) (how is this defined? what travel time is considered comparable to fixed route and what travel time is considered excessive? What are the agency's goals for the percentages of trips to be provided within each standard?)

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9. Telephone call-handling performance standards for calls to reservation and dispatch, including:
 - Maximum and standard queue/hold times
 - Call pick up time
 - Calls abandoned
 - Goals for percentage of calls to be answered within these established standards
10. Samples of driver manifests (described in Item #1 of Enclosure 2 attached) and samples of records, reports, or tabulations of the complementary paratransit information (described in Item #3 of Enclosure 2 attached)
11. Capital and operating budget and expenditure information for complementary paratransit service for the three most recent fiscal years, including the current Federal fiscal year
12. The number of complementary paratransit trips, requested, scheduled, provided, and trips denied for the three most recent fiscal years, including the current Federal fiscal year
13. Three copies of the fixed route system map

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Enclosure 2

We request that the following information and/or assistance be available for review and analysis at the beginning of the on-site visit:

1. Copies of completed driver manifests for the most recent six-month period (for each of the agency's contractors, if applicable)
2. ADA eligibility determination information by month for most recent 12 months, showing:
 - Total applications received
 - Total denied eligibility
 - Total approved for: temporary, unconditional, conditional eligibility
 - Total eligibility appeals and outcomes
 - Number of completed application considered and processed
 - Number of applications determined incomplete
3. The following complementary paratransit data, by month, for the most recent six-month period (paper copies as well as in electronic format, if available):
 - Trips requested
 - Trips scheduled
 - Trips denied
 - Canceled trips
 - Passenger no-shows
 - Carrier missed trips
 - Trips provided (to eligible riders only, and to all passengers)
 - An itemization of trips requested, scheduled, and provided by recognized geographic areas, communities, or zones.
 - A listing of trips denied each month showing:
 - customer's name
 - origin
 - requested destination
 - date and time
 - if the person was ambulatory or used a wheelchair
 - On-time performance information
 - A listing of trips that exceeded the trip length standards, showing:
 - the customer name
 - origin
 - requested destination
 - date and time
 - if the person was ambulatory or used a wheelchair

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- Telephone call management records (if available), showing:
 - hold times by date and time
 - total call volume
 - calls answered
 - calls abandoned
 - other call management performance data maintained
4. A list of complaints for the most recent six-month period related to or alleging capacity constraints related to ADA complementary paratransit service showing:
 - customer 's name
 - nature of complaint
 - date of trip request, if applicable
 - requested origin, destination, date and time
 - scheduled trip time (if applicable) and carrier
 - date complaint submitted and format (phone, letter, email, in person)
 - resolution and any corrective action taken (any corrective actions requested and taken)
 5. The following ADA paratransit eligibility information:
 - 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))
 - Other letters related to receipt of applications, incomplete applications, eligibility appeals and other eligibility issues
 - Total number of ADA paratransit eligible individuals
 - Any documentation, policies, procedures and correspondence related to service suspensions for passenger no-shows
 - Access to eligibility files and appeals records
 6. Work shift assignments for reservationists (call-takers), schedulers, dispatchers, and drivers
 7. Access to personnel records showing hire and termination dates for reservationists (call-takers), schedulers, dispatchers, drivers, and road supervisors
 8. 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
 9. Run structure (vehicles in service by hour of day)
 10. Access to the most recent six months of daily vehicle pullout records showing late pullouts and closed runs

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11. Vehicle availability reports for most recent six months
12. Copies of vehicle pre-trip inspection and preventive maintenance form(s)
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: percentage for most recent six months; for sample week, by hour
16. Training curricula for each type of complementary paratransit employee
17. Procedures for providing information and communication in accessible formats

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Attachment B: – Toledo Area Regional Transit Authority (TARTA) Response to Draft Report

From: James Gee [<mailto:jgee@tarta.com>]

Sent: Tuesday, June 13, 2017 3:01 PM

To: Day, John (FTA); Jon Elston

Cc: Hughes, Marjorie; Mitchell, Yolanda CTR (FTA); Heard, Anita (FTA); Sandra Swiacki; Jon Elston

Subject: RE: Draft Report: TARTA ADA Paratransit Review

Mr. Day,

Thank you for the copy of the draft report from the recent evaluation of our ADA paratransit service. We have reviewed the contents and do not have any factual errors related to the findings identified during the review.

We look forward to working with you on resolving the identified issues as quickly as possible.

Sincerely,

Jim Gee
General Manager