

**Gunnison Valley Transportation Authority**  
**Americans with Disabilities Act of 1990 (ADA)**  
**Policy and Procedures**

**Date: Adopted by the GVRTA Board of Directors on 11/02/2018**

**INTRODUCTION**

Purpose: This policy is written to establish operating and service guidelines and procedures for the implementation of the requirements of the American with Disabilities Act of 1990 (ADA), the U.S. Department of Transportation regulations for implementing ADA (49 CFR Parts 27, 37 and 38), and applicable state laws and regulations. The Gunnison Valley Transportation Authority (GVRTA) contracts with a contractor to operate commuter bus services on a regularly scheduled basis along the Colorado State Hwy 135 corridor. The GVRTA Transit System complies with ADA requirements with respect to such services.

**POLICY STATEMENT**

It is the policy of The GVRTA to comply with all the legal requirements of Federal and State laws and regulations as they pertain to individuals with disabilities. The transit system provides quality transportation services without discrimination to all persons including individuals with disabilities. Discrimination on the basis of disability against any person by transit system employees will not be condoned or tolerated.

Goals: Service is provided in a manner that meets these goals to:

1. Provide safe, accessible, and dignified services to all persons, including individuals with disabilities.
2. Expedite the safe and efficient boarding, securing, transporting and alighting of all passengers, regardless of mobility status.
4. Accommodate the wide range of mobility aids within the confines of available vehicles and commercial standard equipment.

Applicability: This policy applies to all transit system employees, services, facilities and vehicles. It applies equally to all persons needing and/or using the services provided by the system.

Definitions:

Wheelchair: a mobility aid belonging to any class of three- or more-wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered.

Commuter Bus Service: Vehicle is operated along a prescribed route according to a fixed schedule characterized by a limited route structure and with limited stops.

Disability: A physical or mental impairment that substantially limits one or more major life activities.

**Mobility Aid/Non-Wheelchair Mobility Device:** A device used by a person with a mobility impairment to assist with mobility but does not meet the requirements of a wheelchair as defined by ADA. These include but are not limited to canes, crutches, and walkers.

**Securement Equipment:** Equipment used for securing wheelchairs against uncontrolled movement during transport.

**Securement Station:** Space specifically designed to secure and stabilize wheelchairs on transit vehicles.

**Service Animal:** An animal that is individually trained to perform a task or tasks for people with disabilities.

**Transit System Employees:** Employees of the GVRTA Contractor providing commuter bus service for the GVRTA.

## GENERAL GUIDELINES AND PROCEDURES FOR IMPLEMENTING POLICY

**Recruitment and Employment:** The GVRTA and its contractor are Equal Opportunity Employers and fully comply with ADA in their recruitment, hiring and continued employment practices.

**Facility and Vehicle Accessibility:** The transit system passenger facilities and vehicles shall meet or exceed the requirements of 49 CFR Parts 27, 37 and 38. All vehicles purchased for Commuter Bus service will be accessible.

**Vehicle and Route Assignment:** All vehicles assigned to Commuter Bus routes will be accessible.

**Maintenance of Accessible Features:** Accessibility features on vehicles, including lifts, wheelchair securement devices and public address systems, will be maintained in operative condition. The preventive maintenance program of the GVRTA provides for regular and frequent maintenance checks of these features as well as preventive maintenance as recommended by the equipment manufacturers.

Drivers are required to report lift failures as soon as possible. Vehicles with inoperative lifts will be replaced as soon as possible.

**Wheelchair Accommodation:** Transportation providers are required to carry a wheelchair and its user, as long as the lift can accommodate the size and weight of the wheelchair and its user, and there is space for the wheelchair on the vehicle. If a vehicle lift/ramp and securement area can accommodate a mobility device, The GVRTA will transport the device (and its user).

**Boarding:** Drivers and scheduling practices will provide adequate time for a passenger with a disability to board and/or disembark the vehicle, which includes adjusting the schedule if necessary to accommodate slower passengers and waiting for passengers to be seated before moving the vehicle. The passenger and/or their guest, escort or attendant will maneuver the passenger and mobility aid to the vehicle. Only a properly trained transit system employee can operate the lift, secure the wheelchair on the lift and in the securement station.

**Use of Accessibility Devices by Persons with Disabilities Not Using a Wheelchair:** A person with a disability who is not using a wheelchair or other seated mobility aid may use the lift to board or alight the vehicle upon request.

**Priority Seating:** With the exception of the wheelchair securement stations, the transit system does not require any passenger to sit in designated seating. However, this does not supersede the transit system's right to require any passenger who has caused a disruption in the safe travel of other passengers and/or driver to be required to sit in a specific area of the vehicle as a condition of transportation.

**Driver Assistance:** Drivers will make themselves available for assistance to persons with disabilities and will assist upon request of the passenger. Drivers will leave their seat to assist a passenger with using the vehicle ramp, lift and/or securement systems. Drivers will use the accessibility-related equipment and features on their vehicles as described in these policies.

**Securement:** Securement of the wheelchair class of mobility devices is the responsibility of the driver and drivers will be trained in the proper operation of all securement equipment based on manufacturer specifications. If the tie-down system is not compatible for the wheelchair the passenger is using, the driver will still try to safely secure the wheelchair. If the wheelchair cannot be secured because of the wheelchair design, the passenger still has the right to ride the vehicle. Drivers cannot deny a passenger a ride based on the inability to secure the wheelchair. However, drivers must warn the passengers of the danger of riding in a non-secured wheelchair. Passengers who refuse to allow their wheelchairs to be secured may be denied service. Drivers must secure wheelchairs in the designated securement area only, even if the passenger wants their mobility device to be secured in a non-designated area.

**Non-Standard Mobility Devices:** Mobility devices that are not wheelchairs will be accommodated to the extent that the ADA-compliant lift and securement areas can safely do so. However, these devices are the responsibility of the individual passenger, and must be secured in a manner that does not interfere with the safe operation of the vehicles and the transport of other passengers.

**Accommodation of Portable Oxygen:** Individuals are allowed to travel with respirators and portable oxygen supplies on board, consistent with applicable U.S. Department of Transportation rules on the transportation of hazardous materials.

**Transfer to Fixed Seating:** All passengers using seated mobility devices have an option of transferring to fixed seating once on board the vehicles. Drivers may recommend, but never require, users of seated mobility devices to transfer to fixed seating.

**Service Animals:** In compliance with 49 CFR Part 37, the transit system allows trained service animals to accompany passengers with disabilities. The driver will not ask for proof of the qualifications of the animal, but may ask what tasks the animal has been trained to perform. However, any animal which is not under the passenger's control or which becomes a threat to other passengers may be restricted from riding.

**Alighting:** The driver will allow a passenger who uses the lift to disembark at any bus stop, unless the lift cannot be deployed, the lift will be damaged if deployed, or conditions at the stop would present unsafe conditions for all passengers. Only the driver will unsecure the wheelchair, secure it on the lift and operate the lift to return the passenger to the ground level.

**Staff Training:** All drivers and transit system staff are trained to proficiency in use of accessibility equipment, the operating policies related to each of the service

requirements described, and in properly assisting and treating individuals with disabilities with sensitivity. Mechanics are also trained to properly maintain lifts and other accessibility equipment.

Rider Information: All printed informational materials are made available in accessible formats upon request, for example, large print for persons with low vision, as well as accessible electronic formats.

Complaint Procedure: All complaints of discrimination on the basis of disability will be promptly and objectively investigated and forwarded to the Executive Director of the GVRTA. Corrective or disciplinary action will be taken by the Contractor for behavior prohibited by this policy, up to and including termination of employment. See GVRTA's Title VI Public Notice of Rights, complaint process and complaint form for complaint procedures.

Modification of Policy: If a passenger requires modification of any of these policies to accommodate their disability, they may request such a modification by contacting the Executive Director of the GVRTA. The transit system will work with the individual to find an accommodation solution.

#### GUIDELINES AND PROCEDURES FOR IMPLEMENTING POLICY SPECIFIC TO COMMUTER BUS SERVICES

Inoperative Lifts: Vehicles with inoperative lifts must be taken out of Commuter Bus service as soon as possible (no later than the beginning of the vehicle's next service day) and inoperative equipment will be replaced promptly with spare vehicle. The inoperative lift will be repaired before the vehicle returns to service. If there is no spare vehicle available to take the place of a vehicle with an inoperable lift on a route, the vehicle with the inoperable lift may be kept in service for no more than five days.

Route Orientation Announcements: Commuter Bus drivers will announce all stops to passengers on board the vehicle using the vehicle's public address system

Bus Stop Accessibility: When establishing new bus stops, it is the policy of the GVRTA to select locations that are accessible to riders using mobility devices, either at the stop location, or close by if the actual stop is not accessible to a wheelchair user. When installing improvements at existing bus stops, the improvements will be made accessible in accordance with Americans with Disabilities Act Accessibility Guidelines of the U.S. Access Board. In the event that a particular stop is not accessible, the transit system will work with the jurisdiction which is responsible for the street and sidewalk (if applicable) to include accessibility improvements to the stop within the jurisdiction's ADA transition plan for sidewalks.