



To: **NDOR Public Transit Division**

Re: **ADA Equivalent Service Certification**

Please return this form to:

NDOR Public Transit Section  
Attn: Teddy Pika, Federal Aid Administrator  
1500 Hwy 2  
Lincoln NE 68509-4759

### **Certification of Equivalent Service**

Morrill County Public Transit (name of agency) certifies that its demand responsive service offered to individuals with disabilities (as defined in 49 CFR 37.3), including individuals with disabilities (as defined in 49 CFR 37.3), including individuals who use wheelchairs, is equivalent to the level and quality of service offered to individuals without disabilities. Such service, when viewed in its entirety, is provided in the most integrated setting feasible and is equivalent with respect to:

1. Response time,
2. Fares,
3. Geographic service area,
4. Hours and days of service,
5. Restrictions or priorities based on trip purpose,
6. Availability of information and reservation capability, and
7. Constraints on capacity or service availability.

**Public Demand Responsive Agencies:** In accordance with 49 CFR 37.77, FTA funded entities operating demand responsive systems for the general public which receive financial assistance under Section 5311 of the Federal Transit Act must file this certification with the NDOR Transit Section annually.

**This certification is valid for no longer than one year from its date of filing.**

**Section 5311 Subrecipients** non-ADA accessible vehicles. By returning this certification to the NDOR Public Transit Division, the above-named agency is certifying that it has a mechanism in place to provide rides to individuals with disabilities. The ride must be provided in a manner equivalent to the service provided by the above-named agency to individuals without disabilities.

Nancy Eichthaler

*(Printed Name of Authorized Official)*

Director

*(Title)*

11/1/16

*(Date)*

*I certify by my signature, either written or electronic, this certification of equivalent service is accurate to the best of my knowledge.*

**All 5311 Section Agencies:** Please provide a brief description of transit services to the elderly and disabled in your service area and include an approximate number of wheelchair passengers per year. This certification is required annually as long as the vehicle remains in service:

Provides public transportation for the citizens of Morrill County-Portal to portal service.

Approximately 25 wheelchair passengers per year are served.

**§37.5 Nondiscrimination:**

- a. No entity shall discriminate against an individual with a disability in connection with the provision of transportation service.
- b. Notwithstanding the provision of any special transportation service to individuals with disabilities, an entity shall not, on the basis of disability, deny to any individual with a disability the opportunity to use the entity's transportation service for the general public, if the individual is capable of using that service.
- c. An entity shall not require an individual with a disability to use designated priority seats, if the individual does not choose to use these seats.
- d. An entity shall not impose special charges, not authorized by this part, on individuals with disabilities, including individuals who use wheelchairs, for providing services required by this part or otherwise necessary to accommodate them.

- e. An entity shall not require that an individual with disabilities be accompanied by an attendant.
- f. Private entities that are primarily engaged in the business of transporting people and whose operations affect commerce shall not discriminate against any individual on the basis of disability in the full and equal enjoyment of specified transportation services. This obligation includes, with respect to the provision of transportation services, compliance with the requirements of the rules of the Department of Justice concerning eligibility criteria, making reasonable modifications, providing auxiliary aids and services, and removing barriers (28 CFR 36.301-36.306).
- g. An entity shall not refuse to serve an individual with a disability or require anything contrary to this part because its insurance company conditions coverage or rates on the absence of individuals with disabilities or requirements contrary to this part.
- h. It is not discrimination under this part for an entity to refuse to provide service to an individual with disabilities because that individual engages in violent, seriously disruptive, or illegal conduct. However, an entity shall not refuse to provide service to an individual with disabilities solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of the entity or other persons.