

THE OPPORTUNITY CENTER, INC.

Policy: ADA POLICY FOR TRANSPORTATION SERVICES

Policy No: 2.22

Replacement For: NA

The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990. It is the policy of The Opportunity Center, Inc. that, when viewed in their entirety, services, programs, facilities, and communications provided by The Opportunity Center are readily accessible and usable to individuals with disabilities to the maximum extent possible. 49. CFR 37.105 The main tenet of ADA transportation regulation is that: "No entity shall discriminate against an individual with a disability in connection with the provision of transportation service."

Service Delivery Requirements

Access to information: All print material made available to the users of a transportation service will also be available in accessible format for persons with disabilities. The Opportunity Center utilizes large print format. These materials are available upon request.

Access to communications: The Opportunity Center provides access to information via telephone for persons with speech and/or hearing impairments. The Opportunity Center is open between 6:30 am and 4:30 pm. 407-847-6016

Employee training: The Opportunity Center requires that all employees be trained according to ADA regulations and that this required training is incorporated in the overall training program of all employees.

ADA regulations require that: "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 operated vehicles and equipment safely and properly and treat individuals with disabilities who use the service in a respectful and courteous way, with appropriate attention to the differences among individuals with disabilities." This training shall include passenger sensitivity and disability awareness training. Training emphasizes the importance of equipment such as lifts/ramps being in good working order. Personnel are also be trained in agency ADA transportation-related policies and procedures.

Approved Equipment

Passengers will be transported provided the lift and vehicle van physically accommodate them, unless doing so is inconsistent with legitimate safety requirements (e.g. the combined weight of the wheelchair/occupant exceeds that of the lift specifications. All lifts, securement systems, and other access-related equipment must be maintained in safe, operating condition. If damaged or out

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of order, this equipment will be repaired promptly. When equipment is out of order, reasonable steps will be taken to accommodate riders who would otherwise use the equipment. Additionally, The Opportunity Center can accommodate mobility devices that meet following minimum standards:

- *Wheelchair* means a mobility aid belonging to any class of three or more wheels, usable indoors, designed or modified for and use by individuals with mobility impairments, whether manually operated or powered
- The measurement of the equipment must be no more than 20" wide and 48" long, including footrests and backpacks.
- The equipment must not weigh more than 600 lbs. when occupied.
- Walkers must be collapsible and able to be stored between seats.
- The mobility device must be in good working order; with batteries charged, tires inflated, working brakes, footrests attached, and all parts secure. (49 CFR 37.3)

A driver may deny transportation if carrying the wheelchair and its occupant would be inconsistent with legitimate safety requirements, as when, for example, the wheelchair is so large it would block an aisle or would interfere with the safe evacuation of passengers in an emergency. Where necessary or upon request, drivers must assist individuals with disabilities with the use of securement systems and ramps/lifts. If the driver must leave their seat to provide this assistance, they must do so.

All wheelchairs must be secured during transport. Drivers are responsible for safely operating the lift and properly securing the wheelchair in a forward-facing position using the securement system in the vehicle. The Opportunity Center will not deny transportation to an individual with disabilities because the person's mobility device cannot be secured satisfactorily by the vehicle's securement system (Exception: if accommodating an unsecured mobility device would violate a legitimate safety requirement, such as blocking an aisle).

It is the policy of The Opportunity Center that all passengers, both ambulatory passengers and those that use mobility aids, must wear seat belts.

The Opportunity Center shall not require an individual with a disability to use designated priority seats, if the individual does not choose to use these seats.

When transporting users of three-wheeled wheelchairs or other mobility devices that pose securement problems, The Opportunity Center drivers can request that the user transfer to a vehicle seat. It is not a requirement that the rider make this transfer. Drivers can explain to riders the reasons for requesting a transfer but must allow them to make the final decision on whether a transfer is appropriate

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given their particular disability. Drivers will be provided training on the proper techniques for assisting passengers in transferring from their three-wheeled wheelchair to a vehicle seat.

The Opportunity Center policies require that a person who cannot enter a vehicle using the stairs but who does not use a wheelchair must be allowed to enter the vehicle using the lift without inquiring about the passenger's disability. All lifts must be properly equipped with handrails on both sides of the lift.

Mobility Device Brakes

When occupying a lift or securement area, it is required that the brakes on their mobility devices be applied. With power chairs or scooters, it is recommended that the power switch be turned to the "off" position.

Respirators and Portable Oxygen Use

Individuals with disabilities who use portable oxygen devices are allowed to travel with respirators and properly secured portable oxygen supplies. Oxygen supplies must not obstruct the aisle. (49 CFR 37.167(h)) Travel with this equipment can only be denied if it would violate rules concerning the transportation of hazardous materials. In general, the transport of common types of portable life support equipment is not prohibited. Cylinders of oxygen used by passengers for health reasons, for example, are not subject to the Hazardous Materials Regulations.

Securement Policy

Operators will use front and rear tie-downs to secure mobility devices. Operators will secure mobility devices at the strongest parts of the device; however, the passenger can indicate the most optimal tie-down spot. The mobility device will be secured front facing unless otherwise requested by the passenger. Drivers will assist passengers with securement systems, ramps, and seatbelts; however, drivers cannot assist riders using power chairs or scooters with the operation of their equipment. The Opportunity Center cannot refuse to transport someone whose mobility device cannot be satisfactorily restrained provided that mobility device fits within the definition described in Section 3. (49 CFR 37.165)

Service Animals

Service animals are animals that are individually trained to perform tasks for people with disabilities, such as guiding people who are blind, alerting people who are deaf, pulling wheelchairs, alerting and protecting a person who is having a seizure, or performing other special tasks. The Opportunity Center drivers may ask if an animal is a service animal or ask what tasks the animal has been trained to perform, but cannot require special ID cards for the animal or ask about the person's disability. A service animal may not be excluded unless the

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animal is out of control and the animal's owner does not take effective action to control the service animal, or if the animal poses a direct threat to the health and safety of others. In order to ride The Opportunity Center vehicles:

- The animal must be on a leash or in a container, remain under control of the owner, and behave appropriately.
- The animal must remain at your feet or on your lap. It may not sit on a vehicle seat.
- The animal must not be aggressive toward people or other animals. (49 CFR 37.167 (d))

Boarding Assistance

Operators shall position the vehicle to make boarding and de-boarding as easy as possible for everyone, minimize the slope of the ramp, and use the kneeling option as needed. Operators are required to open and close the vehicle doors even if care providers are present when participants enter and exit the vehicle. Drivers are required to ensure that all passengers are safely seated with seat belts fastened on all passenger, prior to moving the vehicle, Drivers are expected to provide assistance to passengers when loading and unloading such as making sure the step is out and providing support. Operators should not lift passengers onto the vehicles. Steps should be pushed in when not in use. Passengers with disabilities shall be allowed adequate time to board and disembark the vehicle.

Maintenance of Lifts or Ramps

Operators must test the lift or ramp during the pre-trip inspection. Break down of accessibility equipment must be reported immediately to dispatch. It is the policy of The Opportunity Center that all lifts, securement systems, and other access-related equipment must be maintained in safe, operating condition. If damaged or out of order, this equipment will be repaired promptly. When equipment is out of order, reasonable steps will be taken to accommodate riders who would otherwise use the equipment.

Lift and Securement Use

It is the policy of The Opportunity Center that all people using wheelchairs and other powered mobility devices must be allowed to ride the entity's vehicles. A "wheelchair" is defined as 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. A lift conforming to ADA requirements has a platform measuring and least 30" x 48". Transportation operators must carry a wheelchair and occupant if the lift and vehicle can physically accommodate them. If a lift has the minimum design load of 600 pounds, there is no requirement for an agency to transport a heavier

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occupied device. However, if the vehicle lift has a design load of 800 pounds, the agency would need to transport an 800-pound wheelchair/passenger combination, but not a combination exceeding 800 pounds. An operator may deny transportation if carrying the wheelchair and its occupant would be inconsistent with legitimate safety requirements, as when, for example, the wheelchair is so large it would block an aisle or would interfere with the safe evacuation of passengers in an emergency.

The Opportunity Center requires that all wheelchairs be secured during transport. Drivers are responsible for safely operating the lift and properly securing the wheelchair in a forward-facing position using the securement system in the vehicle.

It is the policy of The Opportunity Center that all passengers, both ambulatory passengers and those that use mobility aids, must wear seat belts. When transporting users of three-wheeled wheelchairs or other mobility devices that pose securement problems, The Opportunity Center drivers can request that the user transfer to a vehicle seat. It is not a requirement that the rider make this transfer. Drivers can explain to riders the reasons for requesting a transfer but must allow them to make the final decision on whether a transfer is appropriate given their particular disability. The Opportunity Center drivers will be provided training on the proper techniques for assisting passengers in transferring from their three-wheeled wheelchair to a vehicle seat.

The Opportunity Center policies require that a person who cannot enter a vehicle using the stairs but who does not use a wheelchair must be allowed to enter the vehicle using the lift. All lifts must be properly equipped with handrails on both sides of the lift.

Attendant Policies: Personal care attendants (PCAs) must be permitted to accompany riders and are not considered companions. PCAs are not charged a fare. The Opportunity Center requires that individuals indicate the need to travel with a PCA when they request paratransit eligibility certification.

The Opportunity Center cannot require that an individual travel with an attendant. If The Opportunity Center feels that a rider would benefit from the aid of an attendant, this can be suggested. Service cannot be refused; however, if the person decides to continue to travel independently.

Suspension/Refusal of Service

A rider's privileges may be suspended for any of the following infractions on any The Opportunity Center vehicles:

- Smoking or carrying a lit pipe, cigar, or cigarette
- Consuming alcoholic beverages or in possession of alcoholic beverages.

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- Violent, seriously disruptive or illegal conduct.

Boarding/Disembarking Time

Adequate time must be provided for persons with disabilities to board and disembark from vehicles.

Notification of Policy

The Opportunity Center will notify the ridership of the ADA policy on the website.

ADA Coordinator and Grievance Procedures:

The Opportunity Center has designated the executive director to coordinate efforts to comply with ADA transportation-related requirements.

Contact Information: 407-847-6016, ext. 560 or osceolaarc@aol.com

Complaint Process

The Opportunity Center is committed to providing safe, reliable, and accessible transportation options for our participants. The Opportunity Center has established a Customer Complaint Policy and individuals wishing to file a complaint and/or obtain a copy of the Customer Complaint Policy may contact The Opportunity Center at (407) 847-6016, osceolaarc@aol.com, or in person at 310 N. Clyde Avenue, Kissimmee, FL 34741.

APPROVED: The Opportunity Center
Board of Directors

EFFECTIVE DATE: November 10, 2015

Revised: July 11, 2019
REVIEWED:

REVIEWED:

REVIEWED: