

**RESOLUTION NO. 2019-11**

**A RESOLUTION OF THE MASON TRANSIT AUTHORITY BOARD  
ADOPTING A REVISED AMERICANS WITH DISABILITIES ACT (ADA)  
POLICY (POL-504).**


**WHEREAS**, pursuant to Resolution No. 2017-26, Mason Transit Authority adopted an Americans with Disabilities Act (ADA) Policy (POL-504) to ensure compliance with the Americans with Disabilities Act; and

**WHEREAS**, since the adoption of that resolution, modifications to certain sections of the policy are necessary to ensure continued compliance;

**NOW THEREFORE, BE IT RESOLVED BY THE MASON TRANSIT PUBLIC TRANSPORTATION AREA AUTHORITY BOARD** that the revised Americans with Disabilities Act (ADA) Policy (POL-504), which is attached hereto and incorporated herein, be established and adopted.

Adopted this 16<sup>th</sup> day of April, 2019.

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Randy Neatherlin, Chair

  
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Wes Martin, Vice-Chair


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John Campbell, Authority Member

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Kevin Dorcy, Authority Member

  
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Sharon Trask, Authority Member

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Kevin Shutty, Authority Member


  
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Deborah Petersen, Authority Member

  
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Don Pogreba, Authority Member

  
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Sandy Tarzwell, Authority Member

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Danette Brannin, General Manager

APPROVED AS TO FORM:   
Robert W. Johnson, Legal Counsel

ATTEST:  DATE: April 16, 2019  
Tracy Becht, Clerk of the Board



<b>Title:</b>	Americans with Disabilities Policy
<b>Number:</b>	504
<b>Effective:</b>	September 19, 2017; Revised April 16, 2019
<b>Cancel:</b>	N/A
<b>Prepared by:</b>	Mike Ringgenberg, Operations Manager
<b>Approved by:</b>	Authority Board Resolution No. 2017-26; Resolution No. 2019-11

## **POL-504 AMERICANS WITH DISABILITIES**

This policy applies to all Mason Transit Authority (MTA) employees and services.

### **1.0 Purpose**

The purpose of this policy is to ensure compliance with the Americans with Disabilities Act (ADA).

The Americans with Disabilities Act was signed into law on July 26, 1990. The ADA is civil rights legislation which requires that persons with disabilities receive transportation services equal to those available on the fixed route service.

The ADA requires that:

- No entity may discriminate against an individual with a disability in connection with the provision of transportation services;
- An individual shall not be denied use of a transportation service provided to the general public if the individual is capable of using that service;
- An entity must not refuse to serve an individual with a disability solely because the individual's disability results in an appearance of involuntary behavior that may offend, annoy or inconvenience employees or others;
- An individual with a disability shall not be required to be accompanied by an attendant nor be required to use designated priority seats if the individual chooses not to do so (49 CFR § 37.5); and
- An individual shall not be denied transportation service because of a provider's insurance conditions, coverage or rates are based on the absence of individuals with disabilities. (49 CFR § 37.5)

### **2.0 Policy**

It is the policy of MTA that, when reviewed in their entirety, services, facilities, and communications provided by MTA, directly or by a contracted service provider, are readily accessible and usable to individuals with disabilities to the maximum extent possible.

### **3.0 Fare**

MTA is fare-free within the County. For travel out-of-county, fares are as follows:

See Also: Title VI Policy; Employee Handbook



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- Senior (65 years of age or older) & Persons with Disabilities (with a Regional Reduced Fare Permit (RRFP)) – \$.50 (one way)
- Adults/Youth – \$1.50 (one-way)
- Children 6 years of age and under – No Charge

Monthly Bus Pass Rates are as follows:

- Senior (65 years of age or older) & Persons with Disabilities (with a RRFP) – \$9.00
- Adult (18 to 64 years of age) – \$28.00
- Youth (6 to 17 years of age) – \$18.00
- Summer Youth Adventure Pass (valid Memorial Day through Labor Day only) – (6 to 17 years of age) – \$20.00
- Active Duty Military Personnel with Current Military ID – No Charge

#### 4.0 Sundays & Holidays

MTA is closed on Sundays and the following holidays:

- New Year's Day
- Martin Luther King Jr. Day
- President's Day (observed)
- Memorial Day (observed)
- Fourth of July
- Labor Day
- Thanksgiving Day
- Christmas Day

MTA operates on Saturday service schedule when a Federal and/or State observed holiday falls on a weekday scheduled service day such as Veterans Day.

#### 5.0 Approved Equipment

Passengers will be transported provided the lift and vehicle can 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). Additionally, MTA can accommodate mobility devices that meet following minimum standards:



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- *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
- Walkers must be collapsible and able to be stored between seats or in the vehicle's trunk.
- The mobility device must be in good working order; with batteries charged, tires inflated, footrests attached, and all parts secure. (49 CFR 37.3)

*Segway* or similar electrically motorized personal transportation devices are allowed on MTA when used as a mobility device by a person with a disability. An individual with a disability who uses a Segway as a mobility device is permitted to use the lift unoccupied.

#### **6.0 Mobility Device Brakes**

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

#### **7.0 Portable Oxygen Use**

Individuals with disabilities who use portable oxygen devices are allowed to travel with respirators and properly secured portable oxygen supplies. (49 CFR 37.167(h))

#### **8.0 Securement Policy**

Operators will use front and rear tie-downs to secure mobility devices, unless the bus is equipped with a passive restraint system, then securements are used at the request of the passenger. 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, except when using rear-facing passive restraint. 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. MTA cannot refuse to transport someone whose mobility device cannot be satisfactorily restrained provided that mobility device fits within the definition described in Section 5.0.

See Also: Title VI Policy; Employee Handbook



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## 9.0 Stop Announcements

Stops at major intersections, transfer points, and destination points will be announced on fixed route buses. Operators will announce other stops upon request or as needed (see 12.0).

## 10.0 Personal Care Attendants

A Personal Care Attendant (PCA) is someone who travels with, and helps, a rider who is not able to travel alone. A PCA may ride with a rider at no charge. The rider must provide his/her own PCA if needed, and notify MTA when scheduling a ride whether or not they will be using a PCA. This information will guarantee a place for the PCA to ride with the rider. Guests and companions may ride on MTA as space is available. Guests and companions must pay regular fare where applicable. A companion is anyone who travels on the bus with the rider who is not designated as the rider's PCA.

## 11.0 Service Animals

A service animal is any guide dog, signal dog, or other animal individually trained to work or perform tasks for an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair or fetching dropped items.

Service animals will be suspended if they are not under the handler's care at all times and performing like a service animal. If a service animal is excluded, the passenger with the disability must still be offered the opportunity to obtain goods, services and accommodations without having the service animal on the premises. In order to ride MTA:

- The service animal must have a harness, leash or other tether; unless the handler is unable to use a tether because of a disability or use of a tether would interfere with the service animal's ability to safely perform its work or tasks. In these cases, the service animal must be under the handler's control through voice commands, hand signals or other effective means.
- Birds, reptiles, amphibians, rodents, and cats must be kept in an enclosed carrier/container.



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- The animal must remain at the passenger’s feet or on lap. It may not sit on a vehicle seat.
- The animal must not be aggressive toward people or other animals.
- Rider is responsible for damages or injuries caused by the animal. (49 CFR37.167(d))

## 12.0 Courtesy and Sensitivity

All employees are expected to be polite and considerate. The Operator is the first line of contact for public relations. The courteous and professional image that the Operator displays determines the success and reputation of Mason Transit within the community.

It is important that Operators demonstrate sensitivity to all persons. Mason Transit is committed to making public transportation in Mason County accessible to everyone. Additionally, Mason Transit strives to make reasonable modifications to our policies, practices and procedures to avoid discrimination and ensure programs and services are accessible to individuals with disabilities. Customers will be accommodated where possible, as long as it does not fundamentally alter the nature of our service, create a direct threat to the health and safety of others, or cause an undue financial burden. For example, if a customer with diabetes or another medical condition requests to eat or drink aboard a vehicle to avoid adverse health consequences, the request should be granted. However, a customer request that an Operator take charge of a service animal may be denied. Caring for a service animal is the responsibility of the customer or a PCA. If a customer requests a reasonable modification from an Operator during transit, in some situations, the Operator may need to consult with Dispatch prior to granting or denying a request.

Operators are reminded not all disabilities are visible. The Operator should always answer questions regarding MTA service. Operators will honor all requests from the customer for the use of a lift or kneeling device.

Extra caution should be taken while driving over rough road conditions as a courtesy to all customers. Hard stops and starts should be avoided. Customers specifically traveling in secured mobility devices are more likely to feel effects of rough road conditions.



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Operators should be proactive by helping customers in need of additional call out assistance. Some customers may not wish to be singled out; it is important, however, to offer to call out the stop for some customers; these can include customers with service animals, guide canes, new customers and others.

### **13.0 Boarding Assistance**

Operators shall provide assistance to passengers to ensure safe boarding and de-boarding. Passengers shall be allowed adequate time to board and disembark the vehicle.

### **14.0 Maintenance of Lifts or Ramps**

MTA shall establish a system of regular and frequent maintenance checks of lifts sufficient to determine if they are operative.

Operators shall report to dispatch, by the most immediate means available, any failure of a lift to operate in service. Operators must test the lift or ramp during the pre-trip inspection.

When a lift is discovered to be inoperative, MTA shall take the vehicle out of service before the beginning of the vehicle's next service day and ensure that the lift is 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, such that taking the vehicle out of service will reduce the transportation service MTA is able to provide, the vehicle may be kept in service with an inoperable lift for no more than three days from the day on which the lift is discovered to be inoperative.

In any case in which a vehicle is operating on a fixed route with an inoperative lift, and the headway to the next accessible vehicle on the route exceeds 30 minutes, the entity shall promptly provide alternative transportation to individuals with disabilities who are unable to use the vehicle because its lift does not work. (49 CFR 37.163)

### **15.0 Priority Seating and Reserved Seating**

Mobility device securement areas on buses are reserved. Passengers using common mobility aids shall be boarded if the securement areas are not otherwise occupied by a mobility device, regardless of the number of passengers





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on the bus. Operators are required to ask passengers sitting in the securement areas to move to other available seats or to stand.

It may be necessary for Operators to ask other passengers to yield priority seating at the front of the bus to seniors and persons with disabilities.

Drivers are not required to enforce the priority seating designation beyond making such a request.

**16.0 Suspension of Service**

A rider’s privileges may be suspended for any infraction on any MTA property, including vehicles, bus stops, or stations in violation of RCW 9.91.025.

**17.0 Notification of Policy**

MTA will notify the public of the ADA policy on the website and in the Schedule and Guide Book.

**18.0 Reasonable Accommodation**

MTA is committed to providing safe, reliable, courteous, accessible and user-friendly services to its customers. To ensure equality and fairness, reasonable modifications to its policies, practices and procedures to avoid discrimination and ensure programs and services are accessible to individuals with disabilities. Request for accommodations can be made by calling Customer Service at 360-427-5033 or 800-374-3747 or by email at [mta@masontransit.org](mailto:mta@masontransit.org).

**19.0 Dial-A-Ride**

MTA provides Dial-A-Ride service for riders who experience difficulty using routed service as well as rural riders. Because there are no eligibility requirements, anyone can request Dial-A-Ride service. Dial-A-Ride service is based on time and space availability.

MTA operators provide the following types of trips:

<i><b>Trip Type</b></i>	<i><b>Description</b></i>
Curb to Curb	Customer taken from curb of pickup to curb of destination
Door to Door	Customer taken from door of pickup to door of destination



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***Ride Requests Scheduling Hours:***

Monday through Saturday 8:00 am to 5:00 pm

***Information/Ride Cancellation Hours:***

Monday through Saturday 8:00 am to 8:30 pm

Rides may be cancelled before or after hours by leaving a voice mail at 360-427-5033 with name, date and time of reservation and contact number.

***Dial-A-Ride Operating Hours:***

Monday through Friday 6:00 am to 8:30 pm  
Saturday 6:30 am to 8:15 pm

***Trip Scheduling:***

MTA accepts reservations up to 14 days in advance and riders are encouraged to call at least 48 hours in advance to ensure a ride is available. MTA Customer Service Representatives will try to accommodate same day requests received with a minimum two hour notice but is not considered a guarantee. Because the Dial-A-Ride service is shared with other riders, the Customer Service Representatives may ask that riders be flexible with their pick-up time in order to fit requests with already scheduled rides.

***Changing Ride Times:***

If a rider needs to change their ride, please be aware that only the rider or person who scheduled the ride can change the appointment unless otherwise noted in the client's file.

***Trip Cancellation:***

MTA requires that riders give at least two hours' notice if unable to take a scheduled ride or rides. The Customer Service Representative must be informed of the dates and times of the trip or trips being cancelled. Riders must remember to cancel the return trip at the same time if it is not needed. Trips cancelled with less than two hours' notice will result in the rider receiving a late cancellation. Two late cancellations equal one no-show.



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***No-Show Policy:***

Riders, who schedule Dial-A-Ride or Deviated Fixed Route service trips and repeatedly no-show or have excessive late cancellations, may be suspended from both services. If a trip is missed, the return trip is automatically cancelled.

If a rider no-shows three or more Dial-A-Ride or Deviated Fixed Route trips in a 30 day period, they may be suspended from Mason Transit's service for a minimum of one week. The second suspension will be for a two week period, the third suspension will be for a three week period, and so on. Each suspension increases by seven days within a 12 month period.

**20.0 Travel Training**

MTA offers free travel training for anyone who may feel unsure about riding the bus. The training is customized to meet each person's needs such as reading the schedule, making transfers, boarding the bus, etc.

**21.0 Visitor Certification**

MTA does not require certification for visitors.

**22.0 Complaint Process**

MTA is committed to providing safe, reliable and accessible transportation for the community. MTA has established a Customer Comment Policy that provides a variety of ways to receive input and ensures that persons making comments receive an acknowledgement of their comments and a report on the outcomes of any investigations or changes that may result.

Any person who believes himself/herself or any specific class of individuals to be harmed by failure to comply with this policy may, personally or through a representative, file a written complaint. A complaint must be filed not later than 180 days from the date of the alleged discrimination, unless the time for filing is extended by the General Manager or designee.

Customers wishing to file a complaint and/or obtain a copy of the Customer Comment Policy may contact MTA at (360) 427-5033 or (360) 426-9434, or in person at MTA's administration office located at 790 E. Johns Prairie Road, Shelton, WA, or on MTA's Website at [www.masontransit.org](http://www.masontransit.org)