



Craven Area Rural Transit System



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ADA Complementary Paratransit Policy

**Approved May 1, 2017
by the Craven County Board of Commissioners**

Amended October 25, 2019

INTRODUCTION

It is the policy of Craven Area Rural Transit System (CARTS) to comply in full with the transportation and related provisions of Titles II and III of the Americans with Disabilities Act of 1990. Section 223 of the ADA requires paratransit as a complement to fixed route service. CARTS operates a fixed route service called "The Loop." Title 49, Part 37, Subpart F addresses "Paratransit as a Complement to Fixed Route Service" and is used as the basis for developing this ADA Complementary Paratransit Policy.

Application

Applications for ADA Complementary Paratransit service may be obtained on the CARTS website at www.cravencountync.gov/departments/trn.cfm, in person at the CARTS office, or by contacting the CARTS office at 252-636-4917 to request an application be mailed. An application must be completed in its entirety to be evaluated for eligibility. Incomplete applications will not be processed. CARTS will make reasonable attempts to notify applicants if an application is considered incomplete.

Eligibility/Certification/Ineligibility

CARTS will strictly limit ADA paratransit eligibility to the regular definition of eligibility to individuals as specified in 49 CFR 37.123. Only those persons who meet the regulatory definition will be given documentation indicating they are "ADA Paratransit Eligible." Eligible individuals will receive documentation of ADA paratransit eligibility, which can be used in other areas. Individuals may be ADA paratransit eligible on the basis of a permanent or temporary disability.

Having a disability does not automatically make an individual eligible for paratransit service. Eligibility will be based on the functional ability of applicants to use fixed route transit services. The following individuals are ADA paratransit eligible:

1. Any individual with a disability who is unable, as a 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.
2. 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 if the individual wants to travel on a route on the system during the hours of operation of the system at a time, or within a reasonable period of such time, when such a vehicle is not being used to provide designated public transportation on the route.

3. Any individual with a disability who has a specific impairment-related condition which prevents such individual from traveling to a boarding location or from a disembarking location on such system.

An applicant's eligibility will be based on his or her most limiting condition, whether related to the environment or the variable nature of the disability. Determinations of paratransit eligibility will consider each applicant's ability to travel to any origins and destinations in the complementary paratransit service area under all conditions. Eligibility may be based on a permanent or temporary disability. If the disability is permanent, CARTS may require recertification no less than every three years. If the disability is temporary, the duration of eligibility may be based on the duration of treatment period. ADA eligible individuals, who are able to use the fixed route system under certain circumstances, will not be penalized for riding the fixed route service and will be allowed to ride the fixed route system at the fixed route half-price fare rate.

Individuals accompanying an ADA paratransit eligible rider shall be provided service as follows:

1. One other individual accompanying and ADA paratransit eligible individual shall be provided service-
 - a. If the ADA eligible individual is traveling with a personal care attendant, CARTS shall provide service to one other individual in addition to the attendant who is accompanying the individual;
 - b. A family member or friend is regarded as a person accompanying the eligible individual, and not as a personal care attendant, unless the accompanying family member or friend is acting in the capacity of a personal care attendant;
2. Additional individuals accompanying the ADA paratransit eligible individual shall be provided service, provided that space is available for them on the paratransit vehicle carrying the ADA paratransit eligible individual and that transportation of the additional individuals will not result in a denial of service to ADA paratransit individuals;
3. In order to be considered as "accompanying" the eligible individual for purposes of this paragraph, the other individual(s) shall have the same origin and destination as the eligible individual.

All information about the process, material necessary to apply for eligibility, and notices and determinations concerning eligibility will be made available in accessible formats upon request. Accessible formats include large print, audiotape, Braille, and computer disk.

If, by a date 21 days following the submission of a complete application, CARTS has not made a determination of eligibility, the applicant shall be treated as eligible and provided service until and unless CARTS denies the application.

The determination concerning ADA paratransit eligibility shall be in writing. If the determination is that the individual is ineligible, or if eligibility is limited—such as only conditional or temporary eligibility—the written notification will state the reason(s) for the finding. CARTS will provide documentation to each eligible individual stating that he or she is "ADA Paratransit Eligible."

Individuals denied ADA paratransit eligibility may appeal the decision. A written appeal request must be submitted to CARTS within 60 days of the denial of an individual's application to be considered. The written request only needs to state a desire for an appeal and does not have to contain the reasons for the appeal. The appeal process shall include an opportunity to be heard and to present information and arguments, separation of functions (i.e. a decision by a person not involved with the initial decision to deny eligibility), and written notification of the decision, and reasons for the decision. ADA paratransit service will not be provided pending the determination of an appeal. However, if a decision is not made within 30 days of the appeals hearing, CARTS shall provide paratransit service from that time until and unless a decision to deny the appeal is issued.

VISITORS

A visitor is any individual with a disability who does not reside in the CARTS ADA paratransit service area. All visitors shall be treated as eligible who present documentation that they are ADA paratransit eligible in the jurisdiction in which they reside. With respect to individuals with disabilities who do not present such documentation, CARTS may require the documentation of the individual's place of residence, and if the individual's disability is not apparent, of his or her disability. CARTS shall accept a certification by such individuals that they are unable to use fixed route transit. CARTS shall provide paratransit service to individuals with disabilities who qualify as visitors under this paragraph. CARTS shall make the service to a visitor for any combination of 21 days during any 365-day period beginning with the visitor's first use of service during such 365-day period.

Cancellations/No-Shows

Calling any time prior to the end of the business day prior to the date of the scheduled trip to inform CARTS the trip is no longer needed is considered an **advance cancellation**.

Calling the day of the scheduled trip during regular business hours, but no less than two (2) hours before the time of the scheduled pick up, to inform CARTS the trip is no longer needed is considered a **same day cancellation**.

Calling and cancelling less than two (2) hours prior to the scheduled pick up time is considered a **late cancellation**.

Failure to call to inform CARTS the trip is no longer needed and not taking a scheduled trip resulting in the vehicle showing up at the correct location, during the on-time window, and waiting the required time, is considered a **no show**.

When an ADA eligible individual is a no-show for one trip, all subsequent trips on that day remain on the schedule unless CARTS is notified to specifically cancel those trips. To avoid multiple no shows on the same day, passengers are strongly encouraged to cancel any subsequent trips they no longer need that day.

No Strand Policy

If an ADA paratransit eligible individual has more than one trip scheduled on a particular day and does not ride for any one of those scheduled trips, CARTS will not automatically cancel the subsequent trips. However, if an ADA eligible individual misses any one of his or her scheduled trips, notifies CARTS that he or she is in need of taking that trip, and that trip can be completed within the operation hours for paratransit service, CARTS will make one additional attempt to provide the scheduled trip.

Service Criteria

CARTS shall 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.

Service area: CARTS will provide complementary paratransit service to origins and destinations within corridors with a width of three-fourths of a mile on each side of the fixed route. The corridor shall include an area with a three-fourths of a mile radius at the ends of each fixed route.

Response time: CARTS shall make reservation service available during at least all normal business hours of the CARTS administrative office, as well as during times comparable to normal business hours, when the CARTS office is not open before a service day. Reservations may be via voice mail on Sundays and Holidays. CARTS shall schedule and provide paratransit service to any ADA paratransit eligible person at any time requested on a particular day in response to a request for service made the previous day. CARTS may negotiate pick up times with the individual, but CARTS shall not require an ADA paratransit eligible individual to schedule a trip more than one hour before or after the individual's desired departure time. CARTS will permit advance reservations to be made up to 30 days in advance of an ADA paratransit eligible individual's desired trips.

Fares: The fare for a trip charged to an ADA paratransit eligible user of the complementary paratransit service shall not exceed twice the fare that would be charged to an individual paying full fare (without regard to discounts) for a trip similar in length, at a similar time of day, on the CARTS fixed route. A personal care attendant shall not be charged for complementary paratransit service. The fares for individuals accompanying ADA paratransit eligible individuals who are not personal care attendants shall be the same as for the ADA paratransit eligible individuals they are accompanying. CARTS may charge a fare higher than otherwise permitted to a social service agency or other organization for agency trips (i.e. trips guaranteed to the organization). A fare subsidy will apply to all trip purposes eligible under EDTAP.

Trip purpose restrictions: CARTS shall not impose restrictions or priorities based on trip purposes.

Hours of days of service: The complementary paratransit service shall be available throughout the same hours and days as the CARTS fixed route service.

Capacity restraints: CARTS shall not limit the availability of complementary paratransit service to ADA paratransit individuals. There will be:

1. No trip denials. A trip will be considered “denied” if not provided at all or not provided within one hour of the requested time.
2. No restrictions on the number of trips an individual will be provided;
3. No waiting lists for access to the service; or
4. No operational pattern or practice that significantly limits the availability of service to ADA paratransit eligible persons. This includes:
 - a. A substantial number of untimely pickups. CARTS considers a vehicle “on-time” if it arrives 15 minutes before the scheduled pick up time or arrives 15 minutes after the scheduled pick up time. CART’s goal is to make pickups in a timely way at least 92% of the time.
 - b. A substantial number of untimely drop-offs. CARTS is considered on-time for the drop off if the passenger arrives by the agreed upon time (i.e. on time for appointment). CARTS’s goal is to make at least 92% of drop-offs on time.
 - c. A substantial number of trips with excessive on-board ride times. CARTS considers a paratransit trip to be excessively long if it is more than 15 minutes longer than a similar trip on fixed route (a trip at the same time and day from the same origin to the same destination), including walking time to and from the fixed route and any transfer and wait times between fixed routes. CARTS’s goal is to provide at least 95% of paratransit trips with ride times that are not excessive.
 - d. A substantial number of missed trips. CARTS considers a trip “missed” if it is not provided at all, or if the rider does not take the trip when: (1) the vehicle shows up late; (2) the vehicle shows up on-time but does not wait the required time and there is no contact with the rider, or (3) the vehicle shows up early and leaves early (before the start of the on-time window) and there is no contact with the rider. CARTS’s goal is to have no missed trips. However, given that riders do not always take scheduled trips even when vehicles show up on time, it is anticipated that there may be up to 0.5% of trips that are missed by vehicles arriving late.
 - e. Long telephone hold times. If a caller is placed on hold, the call will ring back to the office after two minutes. Call wait time is considered excessive if the caller is placed on hold in excess of four minutes. CARTS’s goal is to answer 95% of all calls within four minutes.

Other Statement of Policy

CARTS will acquire vehicles which meet the accessibility and equipment requirements of the ADA.

CARTS will maintain in operative condition those features of facilities and vehicles that are required to make the vehicles and facilities readily accessible to and usable by individuals with disabilities. These features include, but are not limited to, lifts and other means of access to

vehicles, securement devices, elevators, signage and systems to facilitate communication with persons with impaired vision or hearing.

Drivers will notify dispatch immediately if lifts or ramps are not functioning. CARTS will repair accessibility features promptly if they are damaged or out of order. When an accessibility feature is out of order, CARTS will take reasonable steps to accommodate individuals with disabilities who would otherwise use the feature. If lifts or ramps are not working, spares with functional lifts/ramps will be substituted as soon as possible. Vehicles with non-functioning lifts or ramps will not be placed in service unless there are no spares, and will be kept in service for no more than three days even if there are no spares.

CARTS will operate from facilities and amenities which comply with ADA regulations.

CARTS provides curb to curb service, with door to door assistance as needed. CARTS will make reasonable accommodations if assistance is needed beyond the curb. CARTS will provide limited assistance from the vehicle to the first doorway for customers who need additional assistance to complete their trip. However, CARTS drivers may not be able to assist in a manner which causes them to lose sight of the CARTS vehicle for a lengthy period of time.

CARTS will ensure that personnel are trained to comply with ADA regulations, 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. All employees will be trained to proficiency. Retraining will be provided if observations or valid complaints indicate issues with performance and compliance with policies and procedures.

CARTS will maintain detailed operating procedures and a "Ride Guide" with detailed procedures for accessing and using the system. The Ride Guide, as well as other service information, will be provided in accessible formats upon request. CARTS will work with individuals who request information in accessible formats to ensure that the formats are usable by the individual and appropriate to the use intended.

CARTS will accommodate service animals on vehicles and in facilities. CARTS will also allow riders to travel with respirators and personal oxygen supplies as long as they do not violate U.S. Department of Transportation hazardous materials regulations.

CARTS will not refuse service to riders, or require that they be accompanied by attendants unless they engage in violent, seriously disruptive, or illegal conduct, or represents a direct threat to the health or safety of others. This shall not include situations where appearance or involuntary behavior only offends, annoys, or inconveniences employees or other persons.

Passengers must abide by all policies and guidelines that CARTS has in effect.

Reporting Possible Violations

Any person who believes he or she has been denied benefits or has been excluded from participation in services of any program or activity administered by CARTS, or any of its consultants or contractors, on the basis of race, color, national origin (including LEP), sex, age, disability or genetic information may file a complaint pursuant to Title VI and/or related statutes.

Title VI complaints may be filed with:

- Craven Area Rural Transit System (CARTS)
Director
2282 Neuse Blvd.
New Bern, NC 28560
- NCDOT
Public Transit Division
1 S. Wilmington Street
Raleigh, NC 27607
- Federal Transit Administration Office of Civil Rights
East Building, 5th Floor - TCR
1200 New Jersey Ave., SE
Washington, DC 20590
Attention: Title VI Program Coordinator
- The U.S. Department of Transportation
1200 New Jersey Avenue,
SE Washington, DC 20590

Complaints must be filed no later than 180 days after:

- The date of the alleged act of discrimination;
- The date when the person(s) became aware of the alleged discrimination; or
- Where there has been a continuing course of conduct, the date on which the conduct was discontinued.

All Title VI complaints are considered formal. Complaints must be submitted in writing and signed by the complainant. Complaint forms can be obtained by contacting the Director at (252) 636-4917, or by writing to the above mentioned address. Complaint forms are not required. Any complaint must contain the following information:

- Your name, mailing address and proper contact information

- How, when, where, and why you believe you have been discriminated against. Include pertinent information, such as the location of the incident, witness contact information, etc.
- Other significant information

After a complaint is submitted:

All complaints alleging discrimination in a service or benefit provided by CARTS will be directly addressed by the Director. CARTS shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, CARTS shall make every effort to address all complaints in an expeditious and thorough manner. A letter of acknowledgement of receipt of complaint will be mailed within thirty (30) days.

For any letter notifying that a complaint is not substantiated, the complainant is advised of the legal right to 1) appeal within seven (7) calendar days of receipt of the final written decision, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the FTA. It is the intention of CARTS to respond to Title VI complaints within 60 working days or sooner of receipt of such complaints.

Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

CARTS' Title VI Complaint Form

Craven Area Rural Transit System

Craven County



2822 Neuse Blvd.
 New Bern, North Carolina 28561
 Phone: 252-636-4917 - Fax: 252-636-4919
 1-800-735-2962 TDD/TTY

TITLE VI And Related Statutes Discrimination Complaint Form

FOR OFFICE USE ONLY
Date:
Reviewer Initials:

Name of Complainant:	Home Telephone Number:	Work Telephone Number:
Mailing Address:		
What is the most convenient time for us to contact you about this complaint?		
Basis of Discriminatory Action(s):		
RACE <input type="checkbox"/>	COLOR <input type="checkbox"/>	NATIONAL ORIGIN <input type="checkbox"/>
SEX <input type="checkbox"/>	AGE <input type="checkbox"/>	DISABILITY <input type="checkbox"/>
Date and place of alleged discriminatory actions. Please include earliest date of discrimination and most recent date of discrimination:		
How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional page(s) if necessary).		
Names of individuals responsible for discriminatory action(s):		
Names of persons (witnesses, fellow employees, supervisors or others) whom we may contact for additional information to investigate your complaint:		
NAME:	ADDRESS:	TELEPHONE NUMBER: