



MCPT ADA Complaint and Reasonable Modification Request Policy

Section 3

3/19/2019

Policy Statement

The Americans with Disabilities Act (Title II) states, in part, that “no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in programs, services or activities sponsored by a public entity.” At Macoupin County Public Transportation (MCPT), we are committed to complying with the requirements of Title II of the ADA and all its programs, services, benefits and activities.

Telecommunications Relay Services permit persons with a hearing or speech disability to use the telephone system via a text telephone (TTY) or other device to call persons with or without such disabilities. Dialing 711, both voice and TRS users can initiate a call from any telephone, anywhere in the United States, without having to remember and dial a seven or ten-digit access number.

Macoupin County Public Transportation is committed to providing safe and accessible transportation to all riders in the Macoupin County community. MCPT provides door-to-door service for all the frail, elderly, and persons with disabilities. Door-to-door means that drivers assist passengers from the homes and assist them back to the door in a safe and polite manner.

MCPT is committed to meeting the needs of the disabled community. Our drivers must all participate in numerous trainings to better serve and understand the community’s needs as well as safety requirements for MCPT. Suggestions for improvements in our services for the disabled are always welcome. Please call our office at 1-877-600-0707.

Mobility Device

Wheeled devices for the carriage of a single individual, normally used as an assistive device for individuals who may have mobility challenges.

With respect to size and weight of the mobility device, MCPT will transport a mobility device and its user, as long as the lift can accommodate the size and weight of the mobility device, its user and there is space for the mobility device and its user, consistent with legitimate safety requirements. MCPT lifts can accommodate an 800 - 1000 lb. maximum lift weight.

Features required to make facilities and vehicles accessible to individuals with disabilities will be maintained in operative condition. This includes, if applicable, lifts, interlocks, ramps, securement devices, assistive devices and handles, signage, and systems to facilitate communication. These will be repaired as soon as possible when necessary.

Regular maintenance checks for lifts will be done. If a lift is inoperative, the vehicle must be removed from service before the next day unless an exception applies. An alternative accessible vehicle will replace it.

Securement systems for wheelchairs will be provided. Wheelchairs must be secured by the Standard securement system. If a wheelchair cannot be secured by standard means, service could be denied.

Wheelchair/Scooter user will have the choice of transferring out of the wheelchair into another seat if client has the capability of doing so without the help of driver and adequate space is available.

Staff will provide assistance with the lifts, ramps, and securement systems.

Vehicle operators and other employees must make use of required accessibility-related equipment and features, (ex. Using available vehicle tie-downs for wheelchairs).

Service information will be available in an accessible format.

A passenger who requires a lift may disembark from a vehicle at any designated stop unless the lift cannot be deployed, the lift will be damaged if deployed, or a temporary condition precludes the safe use of the stop by all passengers.

Service will not be denied to individuals using respirators or portable oxygen.

Drivers will be trained in the safe operation of the vehicles, use of accessibility equipment, and treatment of persons with disabilities.

Macoupin County Public Transportation is a door-to-door service. To maintain the door-to-door service ramps and wheelchair paths must be properly paved and kept clear of snow, ice, parked cars, trash and other obstructions. Drivers will help wheelchair clients up and down a maximum of one step. If the driver determines that ramps, walkways and steps are unsafe for door-to-door service a curb-to-curb service will be available.

Aides for persons with disabilities may accompany a paying passenger at no extra charge if the aide provides door-to-door assistance for the passenger.

Extra time is allowed for loading and unloading of vehicle for clients with disabilities.

Most of MCPT vehicles are equipped with wheelchair lifts, ramps and securement systems for persons with mobility impairments.

For safety and liability reasons, Macoupin County Public Transportation adheres to the following guideline:

1. Clients utilizing a wheelchair will be allowed to transfer to a regular seat in the vehicle, if the client requests to do so and is able to complete the transfer with no assistance from the driver. Drivers are not permitted to lift or pull any client to enable them to transfer into a regular seat.
2. MCPT reserves the right to refuse service to any client who will not allow their wheelchair to be secured utilizing the 4-point securement system within the MCPT vehicle. MCPT drivers have been trained to use a 4-point tie-down system for all wheelchairs to guarantee the safest securement possible.
3. MCPT reserves the right to refuse service to any passenger who has unsafe equipment and/or if wheelchair plus client's weight exceeds lift capacity of 800-1000lbs. The driver will call the dispatch and the dispatch will make the final determination of unsafe.
4. Wheelchair/Scooter user will have the choice of transferring out of the wheelchair into another seat if client has the capability of doing so without the help of driver and adequate space is available.

5. Staff will provide assistance as necessary with lifts, ramps and securing systems. A rider who is not in a wheelchair may use the lift if he/she is unable to enter the vehicle by the stairs with the driver's assistance for safety.

A. Lift and Securement

All MCPT drivers are properly trained to use wheelchair lifts, ramps and corresponding securement equipment.

Using the lift

- MCPT recommends backing the wheelchair onto the lift; however, the Americans Disabilities Act (ADA) allows the passenger to make the choice.
- Set the brakes on the wheelchair. ALWAYS ask the client to turn off the power to a motorized chair.
- Place one hand on the wheelchair and the other hand on the control panel, and inform the Wheelchair client when you are going to start the lift.
- After reaching floor level, push the wheelchair into the vehicle, set brakes, and then proceed inside the vehicle to bring the passenger completely inside.
- Drivers are not permitted to ride the lift with wheelchair passengers. The driver must determine the passenger's capability to safely ride the lift alone. Passengers must have both hands-on safety rails and/or safety belts attached.
- Use proper securement procedures for every wheelchair. The 4-point floor securement must be used on every wheelchair client to anchor the wheel chair to the floor

Lift Operations/ Inter-lock System

- Vehicle should be running
- Transmission should be in PARK
- Emergency brake set
- Lift power switch turned on. At this point the "Lift Ready" green light should activate
- If the lift ready light is on, you may open the lift doors and the lift should be fully operational
- In the event the lift does not operate, close lift doors and repeat the steps listed above.
- If lights are activated and lift does not work, push "UP" button on lift controls to see if lift has settled while sitting or driving (bleed off)

Manual Override of Lift Operations

- Drivers have been trained in the manual operation of all lifts.
- Manual back-up pump
- To lower platform and unfold, roll stop place slotted end of pump handle into back-up pump release valve and turn counterclockwise (open ½ turn only). When platform reaches desired height and roll stop unfolds turn release valve clockwise to stop. Valve should be tight but **DO NOT** over tighten.

- To fold roll stop and raise platform, place the slotted end of the pump handle into the back-up release valve and turn clockwise to close securely. **DO NOT** over tighten. With pump handle in back up pump stroke until the desired height to the platform is reached.

Ramp Operations

Some of MCPT's vehicles are equipped with wheelchair ramp. Ramps are deployed at the sidewalk level and may be boarded by the passenger either forward or backwards, depending on their preference. The MCPT driver will assist to ensure that the wheels of the wheelchair do not go over the lip of the ramp. If the ramp is deployed at street level with no sidewalk and ramp is at an incline, the MCPT driver will maintain full control of the passenger and wheelchair. The wheelchair will be pushed up and back down the ramp. This will ensure that passenger does not tip or fall out of the wheelchair while moving up or down the ramp.

It is the policy of the MCPT that all wheelchairs / scooters will be secured by the 4-point floor system to anchor the wheelchair to the floor. It is mandatory that all passengers are secured with lap and shoulder belts.

- Install straps track fittings approximately 3 inches outside the front wheels
- Place strap around wheelchair frame, pull tie-down straps until snug
- Place rear strap track fitting just inside rear wheels directly to rear of chair, attach straps to rear frame and tighten
- The strap "keeper" must always face away from Wheelchair both front and rear
- Tighten rear straps so that the wheelchair has no movement. **DO NOT** over tighten, damage to the wheelchair could result
- All tie-down straps should be placed around frame of Wheelchair
- Always secure the lap and shoulder harness to the tie-down system, never to the wheelchair

An individual who uses a lift will not be refused to disembark from a vehicle at any designated stop, unless the lift cannot be deployed, the lift will be damaged if deployed, or temporary conditions preclude the safe use of the stop by all passengers.

Adequate time will be given for individuals with disabilities to board or disembark the vehicle

B. Inoperative Accessibility Features

In the event a lift becomes inoperable, the vehicle will be taken out of service and a backup vehicle will be used until the lift is repaired. If a backup vehicle is not available, re-routing of a lift vehicle will be made so that appointments may be kept. Re-routing will continue until another lift equipped vehicle is available.

In event that any accessibility feature becomes inoperable or repairs are needed, the transportation coordinator or the department manager must be notified immediately. These accessibility features include the lift of the vehicle, securement devices and systems to facilitate communications. Upon notification of any inoperable device, the coordinator or designee will make timely arrangements for repair and/or replacement of defective devices.

C. Service Animals and Comfort Animals

Service Animals are permitted on MCPT vehicles. A service animal is any guide dog, signal dog, or any 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. (DOT, Americans with Disabilities Act- Transportation Regulation, 49 CFR 37.167, 46.267)

Comfort Animals which are typically or reasonable domesticated pets are allowed on the vehicles. Comfort Animals must be in a secure animal carrier.

D. Service to Persons using Respirators or Potable Oxygen

Service to persons using respirators or portable oxygen will not be denied. However, an aid trained in its use may be required to monitor said equipment. Equipment will be secured while being transported within the vehicle

E. Packages

MCPT drivers will assist client in loading and unloading groceries/packages to and from the MCPT vehicle, however at no time is driver permitted to enter a client's residence, all package will be set outside resident's door.

MCPT has a fifteen package (grocery bag size) limit. If passenger has an aide assisting them the aide is responsible for the loading and unloading of all packages.

F. Safety

MCPT drivers are properly trained and licensed in accordance with State and Federal laws. MCPT drivers receive quarterly/annual training in safety including emergency procedures, seat belt and wheelchair tie-down procedures, evacuation procedures and other areas.

MCPT drivers inspect their vehicles (including lift and ramp equipment) on a daily basis through the use of a Pre-Trip and Post-Trip inspection.

Every MCPT driver is trained and understands the manual operation of the lift or ramp so, in the event that the need arises, the driver will be able to accommodate passengers. If a lift or a ramp cannot be manually operated in order to accommodate a passenger, dispatch is contacted and arrangement are made to send a replacement vehicle and the defective vehicle is removed from service until repaired.

All MCPT vehicles are sent out for a routine service every 5,000 miles and all MCPT buses are sent to SMTD for an annual Preventive Maintenance check. If vehicle is deemed unsafe it will be taken out of service until all repairs are done to vehicle and a qualified technician deems the vehicle to be safe.

Reasonable Modifications

MCPT may allow the reasonable modification of its policies to accommodate the special needs of a persons with disabilities in order to allow them to fully utilize our services as required by 49 CFR Part 37.5(i.3). MCPT is committed to providing safe, reliable, courteous, accessible and user-friendly service to its customers. To ensure equality and fairness, MCPT is committed to making reasonable modification to its policies, practices and procedures to avoid discrimination and ensure programs and services are accessible to individuals with disabilities.

Examples of a reasonable modification: It is reasonable for a bus driver to pullup ahead/after a designated stop if there is an illegally parked car in the way. However, it is not reasonable to ask the bus driver to take you to another location because you gave the incorrect address during your booking. It is reasonable to allow a person with a medical condition, such as diabetes, to eat something (such as a hard candy or a chocolate bar) to avoid adverse health conditions. However, it is not reasonable to consume a meal while on the bus because you didn't have time to eat your meal before the bus arrived.

Whenever possible a request for a reasonable modification or accommodation shall be filed/requested in advance by sending "Attachment A" the ADA Complaint and Reasonable Modification Request Form to:

Macoupin County Public Transportation
ADA Compliance Program Director
805 North Broad Street
Carlinville IL 62626
217-854-3223
MCPHD.net

Administrative Appeals Process

An administrative appeal process is available to any individual who is determined to be ineligible for transportation services, has an ADA related complaint or has been denied a modification, Because the provision of ADA transit service is a civil right, the denial of eligibility or modification is a serious matter.

The appeal process is available not only to individuals who are determined ineligible in all situations, but also to persons who are deemed conditionally eligible. Limiting eligibility is in fact denying eligibility for certain trips.

Individuals are permitted to request an appeal with 60 days of the initial eligibility or modification decision, hearing will be held within 10 business days of filing unless more time is requested by individual requesting the hearing;

Individuals have an opportunity to be heard in person and to present additional information and arguments regarding their disability and ability to use the service;

Applicants are notified of appeal decision in writing, or in accessible format if requested, and the notification will state the reasons for the decision if eligibility is still denied;

If a decision on the appeal is not made within 30 days of the completion of the process, individuals must be considered “presumptively eligible” and must be provided transit service until and unless a decision to deny the appeal is issued. Transit service does not have to be provided, however, during other phases of the appeals.

Macoupin County public Transportation is committed to providing safe, reliable, courteous, accessible and user-friendly services to its customers. To ensure equality and fairness, MCPT is committed to making reasonable modifications to its policies, practices and procedures to avoid discrimination and ensure programs and services are accessible to individuals with disabilities. Requests for modifications can be made by calling MCPT at (217) 854-3223 or completing the ADA Complaint and Reasonable Modification Request Form "Attachment A" located on the MCPT website: MCPHD.net

Telecommunications Relay Services permit persons with a hearing or speech disability to use the telephone system via a text telephone (TTY) or other device to call persons with or without such disabilities. Dialing 711, both voice and TRS users can initiate a call from any telephone, anywhere in the United States, without having to remember and dial a seven or ten-digit access number.

Any person who believes she or he has been discriminated against in obtaining a reasonable modification under the Americans with Disabilities Act may file a complaint by completing the ADA Complaint and Reasonable Modification Request Form "Attachment A"

MCPT will investigate the complaint received no more than thirty (30) days after receipt and will communicate results of all complaints in writing or other individually preferred accessible format.

This notice is posted at all MCPT facilities including vehicles