



# **Americans with Disabilities Act ADA Plan**

**The purpose of this document is to set policy in accordance with the Federal Transit Administration (FTA) regulations and the Americans with Disabilities Act (ADA), regarding Humboldt Transit Authority Systems for individual riders.**

**Approved: January 23, 2019**

# Table of Contents

<b>INTRODUCTION</b>	<b>1</b>
<b>POLICIES</b>	<b>3</b>
Requesting Dial-a-Ride Services	5
Presumptive Eligibility	5
Determination in Writing or by Phone	5
Re-certification Process	5
Visitor Certification from other Counties	6
Service Area	6
Service Days/Hours	6
Trip Cancelation	7
Capacity Constraints	7
Abusive or Disruptive Behavior	7
Operator Training	7
What is a Wheelchair or Mobility Device	8
When Might a Customer Using a Wheelchair be able to Board a HTA Bus	9
Assistance for Individuals using a Wheelchair/Mobility Device on a HTA Bus	10
What is not a Wheelchair or Mobility Device or Aid	10
Lift Use Policy	10
Mobility Device Brakes	10
Securement Policy	11
Refusal Securement Policy	11
Seat Belt Policy	11
Placement of Walkers and Other Mobility Aids	11
Luggage or Other Large Items	12
Portable Oxygen Use	12
Internal/External Stop Announcements	12
Personal Care Attendants	12
Service Animals	13
Boarding Assistance	13
Maintenance of Lifts or Ramps	13
Priority Seating	13
Suspension of Service	14
Notification of Policy	14
<b>COMPLAINT PROCESS</b>	<b>14</b>
How to file a Complaint	15

## ADA Plan

### Mission Statement

Our mission is to provide the best methods in transportation that ensure equal access to all public transportation options to enhance citizens' mobility, accessibility, and create a sustainable transportation option in Humboldt County through a safe, reliable, and courteous transit service.

### Policy

The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990. The ADA is a civil rights legislation which requires that persons with disabilities receive transportation services equal to those available on the fixed route service. The ADA prohibits discrimination and ensures equal opportunity and access for persons with disabilities.

It is the policy of the Humboldt Transit Authority that, when viewed in its entirety, services, programs, facilities, and communications provided by Humboldt Transit Authority, directly or by a contracted service provider, are readily accessible and usable to individuals with disabilities to the maximum extent possible. 49.CFR 37.105

### Customer Service Notification

Humboldt Transit Authority will notify the public of the ADA policy in public brochures, transportation schedules, comment cards, complaint forms, on the website at [www.hta.org](http://www.hta.org). The following statement shall be included:

Humboldt Transit Authority (**HTA**) is committed to a policy of non-discrimination in program services pursuant to the requirements of Title VI of the Civil Rights Act of 1964. Any person who believes that he or she has been subjected to discrimination under Title VI on the basis of race, color or national origin may file a complaint with **HTA**. To receive additional information on **HTA's** non-discrimination obligations, or to file a complaint, please call the **HTA** administrative office at 707.443.0826 or write to: Humboldt Transit Authority, 133 V Street, Eureka CA 95501. Americans with Disabilities Grievance Form procedures are also available online at our website: [www.hta.org](http://www.hta.org)

ADA customer service information shall be disseminated to Humboldt Transit Authority employees during the new employee orientation and annually to remind employees of the ADA policy and their responsibility in their daily work and service to our community.

## **Transportation Compliance**

The Federal Transit Administration works to ensure nondiscriminatory transportation in compliance with the ADA law. Persons with disabilities must be able to receive transportation services equal to those available on the fixed route service. Humboldt Transit Authority provides origin to destination Dial-a-Ride and Deviated Route services (Southern Humboldt Local Route and Tish-Non Systems only) to comply with the ADA law.

<b>Holiday /Exception Description</b>	<b>Service</b>
New Year's Day	No service
MLK Day	Saturday service
Presidents Day	Saturday service
Memorial Day	Saturday service
Independence Day	No service
Labor Day	Saturday service
Thanksgiving Day	No service
Day after Thanksgiving	Saturday service
Christmas Day	No service
Day after Christmas	Saturday service

## **Contact Information**

Humboldt Transit Authority  
ADA Specialist  
133 V Street  
Eureka, CA 95503  
(707) 443-0826 FAX: (707) 443-2032

## Requesting Dial-a-Ride Service

Dial-a-Ride shall be provided by Humboldt Dial-a-Ride with professionally trained operators and their fleet of ADA accessible vehicles.

Individuals requesting Dial-a-Ride transportation services may contact Humboldt Dial-a-Ride Transportation at (707) 442-4555. Dial-a-Ride services are provided for trips with origins and destinations within  $\frac{3}{4}$  of a mile of fixed route, such as Eureka Transit System. Eligibility for ADA paratransit services is as outlined in the Americans with Disabilities Act [Section 37.123 (e)(1) of the ADA regulations]

Category Type	Description	Type of Eligibility
Category 1	A person with a visual, physical, or cognitive disability who cannot independently ride transit.	Unconditional
Category 2	Prevented by disability or combination of disability and architectural barriers from getting to the boarding area.	Conditional
Category 3	Prevented from using fixed route during a certain amount of time.	Temporary

## Presumptive Eligibility

Humboldt Transit Authority will respond to applicants in writing with 21 days of receiving an application. If the applicant does not receive an answer within 21 days, the applicant shall be treated as eligible and provided services until an answer is received. Applicants are eligible for service from the date a completed application is received until they are deemed not to meet eligibility requirements.

## Determination in Writing or by Phone

Humboldt Transit's determination concerning eligibility will be in writing or by phone. If the determination is that the individual is ineligible, the determination will state the reason (s) for the finding.

## Re-certification Process

Humboldt Transit Authority may require re-certification of the eligibility of ADA paratransit eligible individuals at reasonable intervals, every five (5) years, or as needed.

## **Visitor Certification from other Counties**

Visitors are eligible for 21 days of service in a 362-day period beginning on the first day the service is used by the visitor. For additional days of service, the individual is expected to register under the Humboldt Transit Authority eligibility procedures. For individuals who reside outside the Humboldt Authority service jurisdictions, Humboldt Transit Authority shall certify an individual with a disability as a visitor when providing documentation of residence and a statement that because of their disability they are unable to access the fixed route. (49 CFR 37.121)

## **Service Area**

There are four (4) zones and the cost per ticket is \$3.00. If you cross the corridor and outlining areas to accomplish one single trip, you will be required to use one (1) additional ticket. You will only be required to use three (3) tickets maximum, regardless of the number of zones it takes for a single trip.

Zone 1 McKinleyville

Zone 1 Corridor (Hwy 101& Outlining Areas)

Zone 2 Arcata

Zone 3 Eureka

Zone 4 Supplemental Areas (Samoa, Manila, Old Arcata Road, Humboldt Hill, King Salmon, Fields Landing, College of the Redwoods)

The average trip length is about 45 minutes, and a trip may exceed or fall below that average depending upon the circumstances. All eligible riders, regardless of age must pay a full fare. **All fares must be paid upon boarding the vehicle and tickets must be purchased in advance.**

## **SERVICE DAYS/HOURS:**

Monday thru Friday: 6:30 am - 7:00 pm

Saturday: 7:30am - 5:00pm

Sunday: CLOSED

All requested pick-up times must be made before 7:00pm Monday thru Friday, and 5:00pm on Saturday. Drivers will only be able to make one stop. Each time you get into the cab, it will count as a separate trip and require new tickets. Reservations can be made up to 14 days in advance, 7 days a week, 8:00am to 5:00pm. You **MUST** schedule your ride 24 hours in advance, and be ready to go when the vehicle arrives.

## **Trip Cancellation**

The Humboldt Dial-a-Ride Line is open 24 hours, **(707) 442-4555**. The minimum cancellation notice required for trips that are not needed is 2 hours in advance of the scheduled pick-up time.

## **Capacity Constraints**

Humboldt Transit Authority shall not limit the availability of Dial-a-Ride to ADA eligible individuals by any of the following:

- Restrictions on the number of trips and individual will be provided;
- Waiting lists for access to the service; or
- Any operation pattern or practice that significantly limits the availability of service to ADA eligible persons, such as, but are not limited to:
  - A substantial number of significantly untimely pickups for initial or return trips;
  - Substantial numbers of trip denials or missed trips;
  - Substantial numbers of trips with excessive trip lengths; or operational problems attributable to causes beyond the control of the entity including, but not limited to, weather or traffic conditions affecting all vehicular traffic that were not anticipated at the time a trip was scheduled.

## **Abusive or Disruptive Behavior**

Service will immediately be denied on a long-term or indefinite basis to passengers who engage in violent, seriously disruptive, or illegal conduct directed at other riders or Humboldt Transit Authority Staff. Such conduct includes, but is not limited to: threats or fear of physical or verbal abuse. Unlawful harassment including unwelcomed verbal, nonverbal or physical behavior having sexual or racial connotations, unauthorized use of equipment on the vehicle, voluntarily and repeatedly violation vehicle riding rules, including smoking in the vehicle, eating or drinking without medical indication, or defacing equipment.

## **Operator Training**

Operators shall be trained to safely and proficiently operate ADA equipment on Humboldt Transit Authority vehicles and to properly assist individuals with disabilities. Operators will be trained by certified trainers of the Passenger Service and Safety Training (PASS) program and the CalTip Bickmore Wheelchair Safety Train-the-Trainer programs. These programs are designed to establish a comprehensive training program that includes hands-on training and instructs operators on how to provide passenger assistance techniques and sensitivity skills appropriate for serving passengers with special needs prior to being released to revenue service.

## **What is a wheelchair or mobility device?**

Wheelchairs and other mobility devices or aids are designed specifically for assisting individuals with disabilities in their personal mobility. A wheelchair is the most common mobility device used by individuals with disabilities. The ADA defines a wheelchair 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.”

Any wheelchair which can safely fit on the bus ramp, enter the bus, and be positioned in the wheelchair securement area without blocking the aisles or doorway, regardless of size or weight, will be transported.

By definition, scooters are also considered wheelchairs. HTA encourages individuals using scooters to transfer to a seat; as scooters have a high center of gravity and can be prone to tipping under normal operating conditions. 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)

HTA buses accommodate a variety of mobility devices, including the following:

- Manual wheelchairs

- Manual sport wheelchairs

- 4-Wheel power wheelchairs

- 6-Wheel power wheelchairs

- 3-Wheel power scooters

- 4-Wheel power scooters

- Pediatric wheelchairs

- Pediatric wheelchair strollers

Most wheelchair types can be secured on HTA buses using the wheelchair securement devices. For the safety of both the customer using the wheelchair and other customers, HTA Bus Operators are trained to secure wheelchairs.

HTA buses also accommodate a variety of other mobility aids, including the following:

- Walkers (folding and non-folding)

- Rolling walkers (“Rollators”)



Canes

Crutches

Leg braces

Segways

Please remember that individuals using walkers may not sit in their walker-equipped seat while on HTA buses. Bus Operators will provide assistance in finding a seat if asked.

### **When might a Customer Using a Wheelchair be Unable to Board a HTA Bus?**

Overloaded bus - An individual with a disability using a wheelchair may be prevented from boarding if the bus is overloaded with standing customers and when wheelchair securement areas are occupied. Please remember the law provides that HTA operators may only request, not require, that customers vacate that wheelchair securement area.

Too many bags - When a wheelchair / mobility device or mobility aid has bags or other items attached, HTA Bus Operators may decline to board them if the attached items prevent safe boarding, when items take up extra seats or block the aisle or a doorway, or if they interfere with the travel and safety of other customers.

Device not being used as intended - Mobility devices and mobility aids are designed specifically to assist people in their mobility. When they are not being used according to its design and purpose, such as using a wheelchair to transport only belongings, then HTA Operators may decline boarding.

Weight - The ADA allows transit operators the ability to prevent a customer using a wheelchair from boarding if the combined weight of the individual and the wheelchair exceeds the ramp design load specifications of a vehicle. In such cases, customers are allowed and encouraged to board separately from their wheelchair.

Size – The size of a wheelchair could be a determining factor in whether an individual with a disability using a wheelchair is able to board and/or ride HTA buses. One such factor is if a wheelchair is too large to enter through the bus doors. Another factor is if the wheelchair, once in the wheelchair securement area, creates a safety hazard by blocking the aisle. The ADA requires that wheelchair securement areas be no less than 30 inches X 48 inches. Devices that exceed these measurements and/or block the aisle, with or without bags, may be prevented from using HTA bus services for certain trips.

## **Assistance for Individuals using a Wheelchair / Mobility Device on a HTA Bus**

Customers using mobility devices such as wheelchairs or scooters are to be boarded first and allowed to exit first on HTA buses. HTA recommends that individuals using wheelchairs accept the Bus Operator's offer to be secured and wear vehicle-mounted lap and shoulder belts. Simply back up against the safety barrier, attach the anti-tip belt and set your wheel locks (if equipped) or turn off the power.

### **For your convenience, HTA Bus Operators will:**

Attempt to allow customers using mobility devices to board and exit the bus first

Provide assistance in boarding the bus

Attempt to clear the wheelchair securement space when occupied

Prepare the securement area for your use

Request that your wheel locks be set or power turned off (if equipped)

Quickly and safely secure your mobility device

Should securement be chosen, offer the lap and shoulder belt for increased safety

Quickly release securement equipment and assist you in exiting the bus.

### **What is not a Wheelchair, Mobility Device or Aid?**

The best example of devices that are not considered a wheelchair or mobility device, and may be preventing from boarding HTA vehicles, are shopping carts, non-folding strollers and wheeled-baskets, bicycles, and other devices not specifically designed to assist an individual with a disability with their mobility.

### **Lift Use Policy**

Humboldt Transit Authority strongly recommends that persons who wish to use the lift to board do so only when seated in a wheelchair. Persons who do not use wheelchairs but wish to use the lift to board or de-board the vehicle, must inform the driver or when scheduling Dial-a-Ride.

### **Mobility Device Brakes**

When occupying a lift or securement area, passengers must apply the brakes on their mobility devices. With power chairs or scooters, it is recommended that the power switch be turned to the "off" position or "dial down" feature when boarding the bus.

## **Securement Policy**

Transit vehicles are built in accordance with the guidelines of the Americans with Disabilities Act of 1990 (ADA). Mobility devices with their occupants may board HTA buses if they fit on, are supported by a lift or ramp, and can be maneuvered in and on the bus.

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. Operators will assist passengers with securement systems, ramps, and seatbelts; however, operators cannot assist riders using power chairs or scooters with the operation of their equipment.

## **Refusal Securement Policy**

The Operator may decline to provide service to a rider who refuses to allow his or her wheelchair to be secured. Should a passenger refuse securement of their mobility device, the device will NOT be transported. A mobility device not secured during transport may become a hazard in the event of an emergency, sudden braking, or an accident. Non-securement of the device creates a situation in which the safety of the driver and all other passengers will be jeopardized. Customers that do not want their wheelchair secured may not be transported.

Securing the mobility device in the designated area is defined as a location on the vehicle that:

- Has a clear floor space of 30 inches by 48 inches
- Does not obstruct passage of ambulatory passengers

## **Seat Belt Policy**

On October 8, 2017, Governor Brown signed into law Senate Bill, SB-20-Bus Seat Belt Law, that went into effect on July 1, 2018 and the United States has strict laws surrounding seat belt use, and the state of California is no exception. In order to curb accidents that may result in major injuries or fatalities, California makes it the law to wear a seat belt or restraint whenever you're in a moving automobile.

Several of HTA vehicles are equipped with lap-type seat belts in permanent passenger seats. If a seat in a vehicle has both lap and shoulder belts, as a passenger you must use both when ridding. Any violation of these provisions requiring a passenger to wear a safety belt, an infraction punishable by a fine of not more than \$20 for a first offense and a fine of not more than \$50 for each subsequent offense.

## **Placement of Walkers and Other Mobility Aids**

Mobility aids (i.e. walkers, etc.) which can be folded, must be folded and kept secure with the customer without blocking the aisle or doorways, or depriving another customer of a seat. Walkers which cannot be folded may be secured in any available wheelchair securement area on buses, and

the customer may sit nearby, as seating allows. Customers who cannot find a seat may ask the Operator for assistance.

### **Luggage or Other Large Items**

Riders may carry on to the bus only bags or packages that they are able to manage independently without the assistance of the driver. The number of bags or packages must be easily handled by the rider without delaying the bus. All bags and packages must be carried on a rider's lap or under the seat without causing a tripping hazard in the aisle or causing an obstruction to others. Seats are not to be used for bags and packages. It is important to plan to have a friend or assistant to ride and help with bags or packages that you cannot manage alone.

### **Portable Oxygen Use**

Portable oxygen supplies and respirators are permitted onboard Humboldt Transit Authority vehicles. Individuals with disabilities who use portable oxygen devices are allowed to travel with respirators and properly secured portable oxygen supplies during transport. Oxygen supplies must not obstruct the aisle. (49 CFR 37.167(h))

### **Internal/External 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. (49 CFR 37.167 (a-c))

### **Personal Care Attendants**

A Personal Care Attendant (PCA) is someone designated or employed to specifically help a disabled individual meet his/her needs, or travels with a rider who is not able to travel alone. All riders must provide their own PCA.

A registered PCA may ride with an individual with a disability at no charge on Eureka Transit System or the Humboldt Dial-a-Ride. On Redwood Transit, Willow Creek, and Southern Humboldt Intercity & Local Systems, PCA's must pay a full fare per ride.

Guests and companions may also ride with the individual with a disability, as required by 49 CFR 37 (d). Guests and companions must pay the same fare as paid by the individual with a disability. A guest or companion is anyone who rides with the individual with a disability, but is not designated as their PCA.

## **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. In order to ride Humboldt Transit Authority buses:

The animal must be on a leash or in a container, remain under control of the owner, and behave appropriately.

Birds, reptiles, amphibians, rodents, and cats must be kept in an enclosed carrier/container and held by the customer. The cage must be small enough to fit on the person's lap.

The animal must remain at the rider's feet or on the rider's 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 bus to make boarding and disembarking as easy as possible for everyone. Operators shall provide assistance to passengers upon request. Passengers with disabilities shall be allowed adequate time to board and disembark the vehicle.

## **Maintenance of Lifts or Ramps**

Operators shall test the lift or ramp during the pre-trip inspection. Break down of accessibility equipment shall be reported immediately to dispatch. A vehicle with an inoperable lift or ramp will be removed from service as soon as possible and will not be returned to service until repaired. If there is a lift or ramp failure, a replacement vehicle will be dispatched if the next trip to the destination of any passenger using a mobility device is scheduled in more than 30 minutes. If the next trip to the destination of any passenger using a mobility device is scheduled in 30 minutes or less, a replacement vehicle will be dispatched if available. (49.CFR 37.163)

## **Priority Seating**

ADA Regulations § 37.167 (j)(1) require vehicle operators to ask people to move from priority seating and securement locations when an individual with a disability enters a vehicle and needs to sit in a seat or occupy a wheelchair securement location.

HTA has designated Priority Seating at the front of its buses for passengers with disabilities and senior citizens. Other passengers sitting in these designated rows may be asked to move if someone with a disability or a senior citizen requires these seats.

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

If you are sitting in a seat used to secure wheelchairs you may be asked to move if a person with a mobility device needs the space, unless the bus is full to capacity. When a bus is full to capacity, you may be asked to ride the next available bus.

If you use Dial-a-Ride and need to request priority seating, please advise our Dial-a-Ride Staff when you book your trip.

### **Suspension of Service**

Passengers are expected to follow this Code of Conduct to ensure a safe environment on all Humboldt Transit Authority buses and facilities. Any violation of this Code, Federal, State or local law, including but not limited to conduct described in California Penal Code Section 640 can result in arrest, fine, refusal of service, and/or ejection from the system.

1. No smoking or using e-cigs/vapor pens in buses, anywhere in a transit facility, or bus stops unless in a designated smoking area -Smoking within 25 feet of a bus shelter is prohibited
2. No playing loud music or creating loud noise
3. Harassing behavior will not be tolerated
4. No littering or spitting
5. Possessing any flammable liquid, unlawful firearms, hazardous materials (fireworks, batteries, or gasoline) is prohibited
6. No consuming of an alcoholic beverage or being in possession of an open alcoholic beverage
7. Persons involved in unauthorized or illegal activities are subject to prosecution and/or removal from all Humboldt Transit Authority Buses for a minimum of 30 days, up to permanent suspension
8. Do NOT vandalize or create graffiti in or around buses or bus stops -Vandalism is a crime

### **Notification of Policy**

Humboldt Transit Authority will notify the public of the ADA policy on the website and in rider guides.

### **Complaint Process**

Humboldt Transit Authority has established the customer complaint procedures for customers wishing to file a complaint as shown below.

#### **1. Complaint Policy**

Humboldt Transit Authority is committed to providing safe, reliable, courteous and accessible transportation options for the community.

## **2. How to File a Complaint:**

The complainant may file a signed, written complaint no later than thirty (30) calendar days from the date of the alleged discrimination. The complaint should include the following information:

Your name, mailing address, and how to contact you (i.e., telephone number, email address, etc.).

How, when, where, and why you believe you were discriminated against. Include the location, names, and contact information of any witnesses.

Other information that you deem significant.

The complaint form located on Humboldt Transit Authority [website: www.hta.org](http://www.hta.org) may be used to submit the complaint information. The complaint may be filed in writing with Humboldt Transit Authority at the following address:

**Humboldt Transit Authority  
ADA Specialist  
133 V Street  
Eureka, CA 95501**

*Note: Humboldt Transit Authority encourages all complainants to certify all mail that is sent and/or ensure that all written correspondence can be easily tracked.*

## **3. What happens to the complaint after it is submitted?**

All complaints alleging discrimination, on the basis of disability, in a service or benefit provided by Humboldt Transit Authority, will be directly addressed by Humboldt Transit Authority. Humboldt Transit Authority shall make every effort to address all complaints in an expeditious and thorough manner.

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or designee will meet with the complainant to discuss the complaint and possible resolution. Within 15 calendar days of the meeting, the ADA Coordinator will respond in writing, and where appropriate, in a format accessible to the complainant. The response will explain Humboldt Transit Authority's position and offer options for substantive resolution of the complaint.

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.

#### **4. How will the complainant be notified of the outcome of the complaint?**

Humboldt Transit Authority will send a final written response letter to the complainant. If the complainant is not satisfied with the outcome of the complaint, the complainant is advised of their right to:

- Appeal the decision within seven calendar days or receipt of the final written response from Humboldt Transit Authority.
- File a complaint externally with the appropriate entity.

#### **5. Complaint Tracking:**

All ADA complaints shall be tracked with the following information:

- Type of complaint, investigation, or lawsuit.
- Date of complaint, investigation, or lawsuit.
- Summary of the complaint, investigation, or lawsuit.
- The status of the complaint, investigation, or lawsuit.
- Action taken in response to the complaint, investigation, or lawsuit.

All written complaints received by the ADA Specialist or their designee, appeals to the FTA Office of Civil Rights, and responses from these two offices will be retained by the Humboldt Transit Authority for at least three (3) years following the final action regarding the complaint, investigation, or lawsuit.