

PORT ARTHUR TRANSIT SYSTEM

ELDERLY AND ADA PARATRANSIT ELIGIBILITY FORM

THE INFORMATION OBTAINED IN THIS CERTIFICATION PROCESS WILL BE USED BY THE CITY OF PORT ARTHUR TRANSIT SYSTEM FOR THE PROVISION OF TRANSPORTATION SERVICES. INFORMATION WILL ONLY BE SHARED WITH OTHER TRANSIT PROVIDERS TO FACILITATE TRAVEL IN THOSE AREAS. THE INFORMATION WILL NOT BE PROVIDED TO ANY OTHER PERSON OR AGENCY.

1) NAME _____

2) ADDRESS _____

_____ ZIP _____

3) TELEPHONE NUMBER (HOME) _____ (WORK) _____

4) DATE OF BIRTH ____ / ____ / ____

5) HOW DOES YOUR DISABILITY / AGE PREVENT YOU FROM USING OUR FIXED ROUTE SERVICES? PLEASE EXPLAIN COMPLETELY.

(use additional sheet(s) if necessary)

6) ARE THERE ANY OTHER EFFECTS OF YOUR DISABILITY / AGE WHICH WE NEED TO BE AWARE OF ? PLEASE EXPLAIN COMPLETELY.

THE FOLLOWING INFORMATION WILL BE USED TO ENSURE THAT AN APPROPRIATE VEHICLE IS UTILIZED TO PROVIDE YOUR TRANSPORTATION AND THAT AN ACCURATE ANALYSIS OF YOUR TRIP REQUEST CAN BE MADE BY THE CITY OF PORT ARTHUR TRANSIT SYSTEM.

Elderly & ADA Paratransit Eligibility Form

7) DO YOU USE ANY OF THE FOLLOWING MOBILITY AIDS? (CHECK ALL THAT APPLY)

MANUAL WHEELCHAIR _____

ELECTRIC WHEELCHAIR _____

POWERED SCOOTER _____

CANE _____ CRUTCHES _____

WALKER _____

GUIDE DOG _____

8) DO YOU REQUIRE A PERSONAL CARE ATTENDANT (SOME ONE TO ASSIST YOU)
WHEN YOU TRAVEL USING TRANSIT ?

YES _____ NO _____

9) PLEASE ANSWER THE FOLLOWING QUESTIONS:

CAN YOU TRAVEL 200 FEET WITHOUT THE ASSISTANCE OF ANOTHER PERSON?

YES _____ NO _____

CAN YOU TRAVEL (1/4 MILE) WITHOUT THE ASSISTANCE OF ANOTHER
PERSON ?

YES _____ NO _____

CAN YOU CLIMB THREE 12-INCH STEPS WITHOUT THE ASSISTANCE OF
ANOTHER PERSON ?

YES _____ NO _____

CAN YOU WAIT OUTSIDE WITHOUT SUPPORT FOR TEN (10) MINUTES ?

YES _____ NO _____

Elderly & ADA Paratransit Eligibility Form

I HEREBY CERTIFY THAT THE ABOVE INFORMATION GIVEN IS CORRECT.

SIGNED _____ DATE ____ / ____ / ____

IF THIS ELIGIBILITY FORM HAS BEEN COMPLETED BY SOME ONE OTHER THAN THE PERSON REQUESTING CERTIFICATION, THAT PERSON MUST COMPLETE THE FOLLOWING:

NAME _____

ADDRESS _____ ZIP _____

DAY TIME PHONE NUMBER _____

SIGNED _____ DATE ____ / ____ / ____

IN ORDER FOR THE CITY OF PORT ARTHUR TRANSIT SYSTEM TO EVALUATE YOUR REQUEST FOR PARATRANSIT SERVICE, IT MAY BE NECESSARY TO CONTACT A PHYSICIAN OR OTHER PROFESSIONAL TO PROVIDE INFORMATION REGARDING YOUR DISABILITY. PLEASE COMPLETE THE FOLLOWING INFORMATION AND AUTHORIZATION FORM:

THE FOLLOWING PHYSICIAN _____ HEALTH CARE PROFESSIONAL _____ REHABILITATION PROFESSIONAL _____ (CHECK ONE) IS FAMILIAR WITH MY DISABILITY AND AUTHORIZATION IS GIVEN TO PROVIDE THE CITY OF PORT ARTHUR TRANSIT SYSTEM WITH REQUIRED INFORMATION NEEDED TO COMPLETE THE ELDERLY / ADA PARATRANSIT CERTIFICATION PROCESS :

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE NUMBER _____

SIGNED _____ DATE _____

SHOULD YOU HAVE ANY QUESTIONS CONCERNING HOW TO COMPLETE THIS FORM OR NEED ADDITIONAL INFORMATION, PLEASE CONTACT THE TRANSIT DEPARTMENT AT 983-8794.

PORT ARTHUR TRANSIT DEPARTMENT USE ONLY

ELIGIBILITY: APPROVAL _____ or DENIAL _____ CATEGORY _____

IDENTIFICATION NUMBER ISSUED: _____

CERTIFYING OFFICER: _____ DATE: ____ / ____ / ____

Category 1 Eligibility

The first category of eligibility includes those persons unable to use fully accessible fixed route services. Included in this category is:

"Any individual with a disability who is unable, as the 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." [§37.123(e)(1)]

Examples of eligibility under this category would include:

- a person with a mental disability who cannot "navigate the system". Navigating the system might involve obtaining and understanding system information, recognizing and boarding the correct vehicle, having available the correct fare and/or using the fare collection system, recognizing destinations, and understanding transfers that might have to be made;
- a person with a vision impairment who cannot "navigate the system". Entering and traveling through a busy station or transit center may not be possible. Recognizing and boarding the correct vehicle, and recognizing the appropriate destination - even though announcements are made - are also considerations;
- a person with a physical disability who cannot stand on a crowded bus or rail car when seats, including priority seats, may not be available;
- a person with a physical disability who uses a wheelchair and who cannot get on or off the lift or to or from the wheelchair securement area without assistance.

It is important to note that eligibility under this category depends on the complexity of the fixed route system. The type and extent of disability that would confer eligibility in a rural area with a one or two route bus system would be different from that in a large urban system. Transit providers should base determinations on the characteristics of their fixed route service and the abilities needed to use it.

Other key issues and questions associated with this category of eligibility are summarized below.

- (1) Travel training: Many persons who cannot negotiate the entire fixed route system can be travel trained for certain trips. Typically, training is provided for trips that the person makes frequently, such as to work or school. These individuals would only be ADA paratransit eligible for trips they have not been trained to make. As part of the application and determination process, it should be determined if such training has

- (5) Standeers on lifts: The regulations require public entities to allow persons with ambulatory disabilities who do not use wheelchairs (e.g., persons who use leg braces and canes) to enter the vehicle by standing on the lift. Therefore, individuals who cannot climb the steps to get into a bus would not be eligible for paratransit service if they could enter the vehicle using the lift.

Category 2 Eligibility

The second category of eligibility includes:

"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 of 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." [§37.123(e)(2)]

The majority of persons eligible under this category would be those with ambulatory disabilities who could not enter an inaccessible rail facility or would need to travel on a vehicle with a lift or ramp and other accessibility features. This would include persons who use wheelchairs as well as persons who use other mobility aids such as walkers, leg braces, or canes.

Eligibility under this category depends on the accessibility of vehicles and stations/stops. A person is eligible for paratransit service if the fixed route on which they want to travel is not yet accessible. Guidance on exactly what constitutes an "accessible" fixed route is provided in the regulations and explanatory appendix. For example:

- A person is eligible if the bus route on which they want to travel is not 100 percent accessible. The requested trip would be eligible if the fixed route that would otherwise be used is only partially accessible (e.g., every other bus is accessible).
- Similarly, a person is eligible if they need to travel on a rapid or light rail system that is not yet accessible - meaning that all key stations are accessible and one car per train is accessible. An individual would be eligible in this example even if accessible fixed route bus service is provided in the same area.
- An individual is eligible for paratransit if a vehicle's lift or boarding device cannot be deployed at the stop which they want to use.
- An individual who uses a "common wheelchair" but cannot be served by the fixed route system because the lift on the vehicle they need to use does not meet the equipment standards contained in Part 38 of the regulation is eligible for paratransit service.

One important issue related to category 2 eligibility is the use of on-call bus services as a way to increase the overall accessibility of the fixed route service. Basically, on-call bus programs allow an individual to call in advance and request that an accessible bus be assigned to a particular route at a time when they need to travel.⁵ Typically, an on-call bus program is implemented when a significant percent of the fixed route fleet is accessible. Successful programs have been implemented when 20-30 percent of all peak hour vehicles are accessible.

On-call bus services do not technically make the fixed route fleet fully accessible. Therefore, even if an on-call bus service is offered, individuals who are eligible under category 2 must be certified. On-call bus service is, however, considered an acceptable form of complementary paratransit service and can be provided in lieu of a separate van service to those who are eligible under this category.

A second important issue is how this category of eligibility should be treated by transit providers whose fixed route systems are fully accessible. Clearly, individuals who could use accessible vehicles would not be Category 2 eligible in these areas and transit districts are not required to include questions that address this category of eligibility in their application materials or assessment processes if the fixed route service is 100 percent accessible. These same individuals may not, however, be able to use inaccessible vehicles if they travel to other transit districts. Therefore, transit providers are encouraged to address this category of eligibility even if it is not applicable to their local system and to note on the eligibility documentation provided that individuals are ADA paratransit eligible if accessible fixed route vehicles are not available when needed.

Category 3 Eligibility

The third category of eligibility includes:

"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." [§37.123(e)(3)]

Two important qualifiers to this category are included in the regulations. First, environmental conditions and architectural barriers not under the control of the public entity do not, when considered alone, confer eligibility. If, however, travel to or from a boarding location is prevented when these factors are combined with the person's specific impairment-related condition, paratransit service must be provided. Examples of architectural and environmental factors that, in combination with certain disabilities, could prevent travel include:

⁵ For more information on on-call bus programs, see Chapter 6 of the ADA Paratransit Handbook, FTA Report #MA-06-0206-91-1, September, 1991.

- a lack of curb-cuts
- the distance from the stop/station to the trip origin or destination
- steep terrain
- snow and/or ice
- extremes in temperature (hot or cold)
- major intersections or other difficult to negotiate architectural barriers
- temporary construction projects
- severe air pollution

Second, the specific impairment-related condition must prevent the person from using the fixed route system. Conditions which make getting to or from stops/stations more difficult do not confer eligibility. A determination of whether travel is difficult rather than "prevented" will need to be made. Appendix D of the regulations offers the following guidance to clarify the concepts of "prevented" travel and the relationship between architectural and environmental conditions and a person's disability:

"For anyone, going to a bus stop and waiting for a bus is more difficult and less comfortable than waiting for a vehicle at one's home. This is likely to be all the more true for an individual with a disability. But for many persons with disabilities, in many circumstances, getting to a bus stop is possible. If an impairment-related condition only makes the job of accessing transit more difficult than it might otherwise be, but does not prevent the travel, then the person is not eligible.

For example, in many areas, there are not yet curb cuts. A wheelchair user can often get around this problem by taking a less direct route to a destination than an ambulatory person would take. That involves more time, trouble, and effort than for someone without a mobility impairment. But the person can still get to the bus stop. On the basis of these architectural barriers, the person would not be eligible.

Entities are cautioned that, particularly in cases involving lack of curb cuts and other architectural barrier problems, assertions of eligibility should be given tight scrutiny. Only if it is apparent from the facts of a particular case that an individual cannot find a reasonable alternative path to a location should eligibility be granted.

If we add a foot of snow to the scenario, then the same person taking the same route may be unable to get to the bus stop. If it is not the snow alone that stops him; it is the interaction of the snow and the fact that the individual has a specific-impairment related condition that requires him to push a wheelchair through the snow that prevents the travel.

Inevitably, some judgment is required to distinguish between situations in which travel is prevented and situations in which it is merely made more difficult. In the Department's view, a case of "prevented travel" can be made not only where travel is literally impossible (e.g., someone cannot find the bus stop, someone cannot push a wheelchair through the foot of snow or up a steep hill) but also where the difficulties

are so substantial that a reasonable person with the impairment-related condition in question would be deterred from making the trip.

The regulation makes the interaction between an impairment-related condition and the environmental barrier (whether distance, weather, terrain, or architectural barriers) the key to eligibility determinations. This is an individual determination. Depending on the specifics of their impairment-related condition, one individual may be able to get from his home to a bus stop under a given set of conditions, while his next-door neighbor may not."

Given the judgement required to determine if travel is truly prevented and the relationship between environmental conditions and an individual's disability, making eligibility determinations based on this third regulatory category is likely to be the most difficult. Figure 1 on the following page provides additional hypothetical examples to further define eligibility under this category. It includes situations that would result in a person being determined eligible as well as examples that would not confer eligibility.

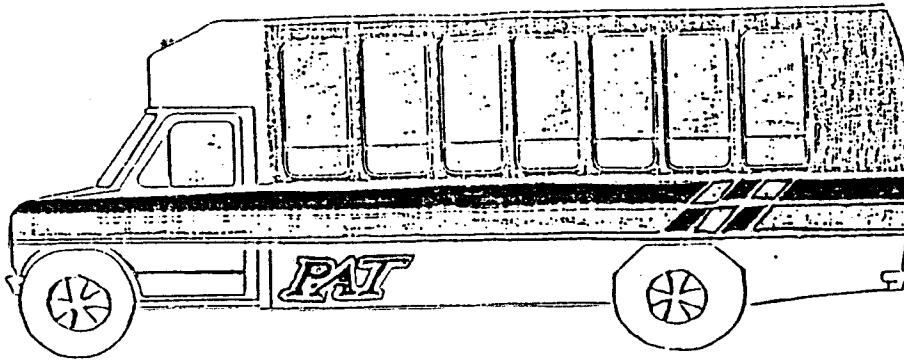
Figure 1. Examples of Eligibility Under Category 3

Situations that would result in category 3 eligibility:

- A person who is blind and who cannot cross a major intersection that is not equipped with assistive devices such as audible signals in order to get to or from a stop/station would be eligible to receive paratransit for that trip.
- A person with a cardiac condition who is sensitive to high temperatures and cannot wait outside for a bus during extremely hot weather would be eligible when this environmental condition exists.
- An individual with severe arthritis or multiple sclerosis whose disability is aggravated by high humidity would be eligible when this environmental condition, in combination with the disability, prevents the use of fixed route service.
- An individual who uses a manual wheelchair, walker, or braces and who cannot negotiate steep terrain would be eligible for paratransit if using fixed route service for a particular trip required crossing a hilly area.
- A person with an ambulatory disability who is unable to get to or from stops/stations due to a lack of curb cuts.
- A person with a cognitive impairment who is unable to remember and follow directions to get to and from a stop/station would be eligible for trips (s)he has not or cannot be trained to successfully make.
- A person who is frail and cannot independently travel more than 1/4 of a mile to get to or from stops/stations and whose particular trip is to a destination that is 1/2 mile from the nearest fixed route.
- A person with an ambulatory disability who cannot walk or maneuver a mobility device to or from stops/stations when there is an accumulation of snow or ice would be eligible in this type of weather.
- A person with a respiratory condition that is affected by high levels of air pollution would be eligible if using fixed route service under such environmental conditions is not advisable.

Situations that would not result in category 3 eligibility include:

- A person with a disability who prefers not to use fixed route service due to the possibility of crime would not be eligible.
- A person who prefers not to use fixed route service when it is raining would not be eligible unless the rain or humidity in combination with a particular disability prevented him/her from getting to or from a stop/station.
- An infant or child with a disability who is unable to get to and from a stop/station and use the fixed route service not because of the disability but because of age.



PORT ARTHUR TRANSIT

ELDERLY AND ADA PARATRANSIT SERVICE

PURPOSE

The door-to-door demand response Elderly and ADA Paratransit service provides transportation to work, school, medical, and social functions for Elderly and disabled persons in Port Arthur.

WHO IS ELIGIBLE

All Port Arthur residents who, by reason of age (65 years or older), illness, injury, congenital malfunction, or other permanent or temporary incapacity or disability, are unable to use the fixed route service as effectively as individual's who are not so affected.

HOW TO APPLY FOR SERVICE

In order to establish eligibility (Elderly and/or Disabled), an application form must be completed. Applications may be obtained in person or mailed by request from:

CITY OF PORT ARTHUR TRANSIT DEPARTMENT
ELDERLY AND ADA PARATRANSIT SERVICE
301 - 4th Street P.O. Box 1089
PORT ARTHUR, TEXAS 77641-1089
983-8794

Applications will be processed for approval within a maximum of five (5) working days.

PHOTO IDENTIFICATION

After the application is approved, a rider - photo identification card will be made at no cost. If you need transportation for this purpose, a prescheduled trip to the Transit office can be provided for the fare charge of \$2.00 each way. This card will be valid for five (5) years from the date of issuance.

VISITORS/TEMPORARILY DISABLED PERSONS

Provisions are made for mobility impaired visitors to the City as well as temporarily disabled individuals. Service will be provided to a visitor upon presentation of a current identification card from another ADA Paratransit service. By presenting a medical doctor's certification of their impairment or disability, a temporarily disabled individual will be issued a card which shall be valid for thirty (30) days or as specified by the certifying Physician/Agency.

USE OF SERVICE

Request for service can be made by contacting Port Arthur Transit (Elderly and ADA Paratransit Service) at 983-8794, at least one (1) day in advance of desired trip date. Trip requests are scheduled on a "first come-first served" basis. Trip reservations are accepted Monday through Friday between the hours of 8:00 AM and 4:00 PM.

Please have exact time and addresses for each origin and destination. Monday through Friday, return trips will be scheduled on a "call back" basis (clients will be required to call the dispatcher when they are ready to be picked up).

Clients desiring to cancel a scheduled trip or change a pick-up time should contact the dispatcher at least one (1) hour before the original pick-up time. Changing a pick up time or destination will depend upon daily schedule demands.

ADVANCED RESERVATION SERVICES

Clients who make recurring trips (at least once a week and the day and time of pick-up remain constant) can schedule their rides on a weekly or monthly basis.

DAYS AND HOURS OF SERVICE

The Elderly and ADA Paratransit Service operates Monday through Friday from 7:30 AM to 5:00 PM

FARES

The following fare structure is used for the Elderly and ADA Paratransit Service:

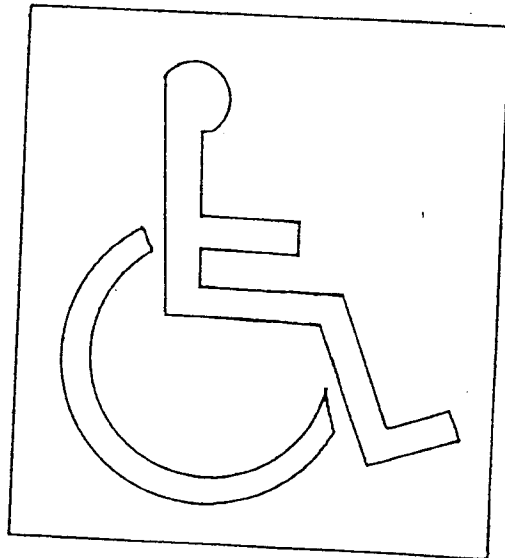
- A. Eligible Clients
One-Way Trip \$2.00
- B. Attendants
No Charge
- C. Companions
One-Way Trip \$2.00
- D. Children under 5 years of age (must be accompanied by adult) - No Charge

Exact fare will be required when boarding as van operator will not be able to make change. Booklets containing twenty (20) passes for a cost of \$40.00 can be purchased at the Transit office. This eliminates the need to carry exact change.

USE OF THE FIXED ROUTE SERVICE

Any client who may so desire, can utilize the lift-equipped Orion I buses that serve the fixed route system. These 1991 30' vehicles provide for one (1) wheel-chair tie down position. Space is also made available for the Elderly and Handi-Capable patrons.

REMEMBER, PAT IS THE WAY TO GO!



APPEAL OF SUSPENSION/DENIAL OF ELIGIBILITY

Persons denied ADA Paratransit eligibility have the right to appeal within 60 days from the initial date of determination to the General Manager, Port Arthur Transit System, and Assistant Director of Planning. Throughout the appeals process, the individual will have the right to be represented by an individual of his/her choice. Should a determination not be made within thirty (30) days after the individual initially files his/her appeal, the individual will be presumptively eligible for Paratransit Service until which time as the determination has been made. Accessible formats (such as sign language, and interpreters) will be provided during the hearing upon request. Notification of the determination made in the appeals process will be mailed to the individual in accessible format (upon request).

The following steps may be taken by an individual who has been denied eligibility/experienced or witnessed an alleged action by the City-owned Port Arthur Transit (PAT) ADA Paratransit Transportation Program that is objectionable to the Section 504 Regulations and the Americans with Disability Act of 1990:

1. A complaint must be filed in writing with the General Manager of Port Arthur Transit. An investigation of the complaint will be conducted with actions proposed to resolve the complaint. The complainant will be notified concerning the recommended resolution.
2. Should the complainant not be satisfied with the proposed resolution, they may contact the Planning Director, City of Port Arthur. The Planning Director, along with a representative of the ADA Advisory Committee, after careful review of the facts, will communicate their decision within ten (10) working days of receiving the appeal of the individual applicant and PAT management staff. This determination and the reasons for it will be conveyed in writing.
3. Should the complainant not be satisfied with the Planning Director's resolution, they may contact the City Manager. The City Manager will forward a written decision within fifteen (15) working days to the applicant, Port Arthur Transit, the Office of Civil Rights within the Department of Transportation, and the Federal Transit Administration-Region VI for further action and determination.
4. Should the complainant not be satisfied with the C.P.A./D.O.T./F.T.A. determination, the complainant may file private action in Federal District Court.
5. The complainant has the right to make a written complaint at any time within sixty (60) days of the alleged discrimination to FTA/DOE. If either party wishes, the appeal may be presented in the presence of a third party mediator from the Public Service Sector or any other service agency. Any sanction will be stayed pending the outcome of the appeal.