



## ADA COMPLIANCE POLICY

### **ADA Policy**

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

It is the policy of Okanogan County Transportation & Nutrition that, when viewed in their entirety, services, programs, facilities, and communications provided by Okanogan County Transportation & Nutrition, 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

### **1. Fare**

Fares for Okanogan County Transportation are as follows:

- Senior - \$2.00 all day
- General Public- \$2.00 per boarding within city limits, \$4.00 per boarding outside city limits
- Intercity fares – \$1.00 per boarding
- Omak/Nespelem/Coulee Dam – fare free

### **2. Holiday Closures**

Okanogan County Transportation & Nutrition door-to-door services will be closed on the following holidays:

New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day and Day after, Christmas Eve Day and Christmas Day. (If the holiday falls on a Saturday, it will be taken on the previous Friday. If the holiday falls on a Sunday, it will be taken on the following Monday.)



### **3. Approved Equipment**

- *Wheelchair* means 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.
- The equipment must not weigh more than manufactures recommendation for wheelchair lifts.
- Walkers must be collapsible and stored between seats.
- Equipment must be in good working order, with batteries charged, tires inflated, and all parts secure. (49 CFR 37.3)

### **4. Mobility Device Brakes**

When occupying a lift or securement area, it is recommended that passengers apply the brakes on their mobility devices; however, they are not required to do so. With power chairs or scooters, it is recommended that the power switch be turned to the "off" position. Again, this is not mandatory.

### **5. Portable Oxygen Use**

Individuals with disabilities who use portable oxygen devices are allowed to travel with respirators and properly secured portable oxygen supplies. Oxygen supplies must not obstruct the aisle. (49 CFR 37.167(h))

### **6. Securement Policy**

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. Drivers will assist passengers with securement systems, ramps, and seatbelts; however, drivers cannot assist riders using power chairs or scooters with the operation of their equipment. Okanogan County Transportation & Nutrition requires all passengers be secured in either a seatbelt or mobility device tie-downs.



## **7. Stop Announcements**

Okanogan County Transportation does not provide specific fixed route transportation. Transit operators will announce designated stops upon request. (49 CFR 37.167 (a-c))

## **8. Personal Care Attendants**

A Personal Care Attendant (PCA) may ride with you at no charge. A PCA is someone who travels with, and helps, a rider who is not able to travel alone. You must provide your own PCA if you need one. Please let us know when scheduling your ride whether or not you will be using a PCA. This information will guarantee a place for him or her to ride with you.

Guests and companions may ride with you. Guests and companions must pay regular fare. A companion is anyone who rides with you who is not designated as your PCA. (49 CFR 37 (d))

## **9. 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 Okanogan County Transportation:

- The animal must be on a leash, tether or harness unless the use of such a device would interfere with the task the service animal performs or the person's disability prevents use of such devices.
- The service animal must remain under control of the owner and behave appropriately at all times.
- Birds, reptiles, amphibians, rodents, and cats must be kept in an enclosed carrier/container.
- The animal must remain at your feet or on your 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))



## **10. Boarding Assistance**

Operators shall position the bus to make boarding and de-boarding as easy as possible for everyone, minimize the slope of the ramp, and use the kneeling option as needed. Bus operators shall provide assistance to passengers upon request. Passengers with disabilities shall be allowed adequate time to board and disembark the vehicle.

## **11. Maintenance of Lifts**

Bus operators must test the lift during the pre-trip inspection. Break down of accessibility equipment must be reported immediately to dispatch. A vehicle with an inoperable lift must be removed from service as soon as possible and cannot be returned to service until repaired. If there is a lift failure, a replacement vehicle must 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 may be dispatched if available. (49.CFR 37.163)

## **12. Priority Seating**

Upon request, bus operators shall ask – but not require – passengers to yield priority seating at the front of the bus to seniors and persons with disabilities. Drivers are not required to enforce the priority seating designation beyond making such a request.

## **13. Reserved Seating**

Mobility device securement areas on buses are reserved. Passengers using common mobility aids shall be boarded if the securement areas are not otherwise occupied by a mobility device, regardless of the number of passengers on the bus. Bus operators are required to ask passengers sitting in the securement areas to move to other available seats or to stand.



#### **14. Suspension of Service**

A rider's privileges may be suspended for any of the following infractions on any Okanogan County Transportation & Nutrition property, including vehicles, bus stops, or stations:

- Smoking or carrying a lit pipe, cigar, or cigarette (unless in a designated smoking area).
- Discarding or dumping litter in places other than the recognized receptacles.
- Consuming alcoholic beverages or in possession of alcoholic beverages.
- Loud, raucous, unruly, harmful, or harassing behavior.
- Engaging in other conduct that is inconsistent with the intended purpose of the transit facility or vehicle. (RCW 9.91.025)

#### **15. Notification of Policy**

Okanogan County Transportation & Nutrition will notify the public of the ADA policy on the website and in the rider's guide.

#### **16. Complaint Procedure:**

Questions, concerns, suggestions or requests related to issues covered by the ADA must be brought to the attention of the Director of Operations for transportation issues and the Program Director for nutrition issues.

Contact may be made in writing to: OCTN, P.O. Box 471, Okanogan, WA 98840; or by telephoning 1-800-635-4391 between the hours of 7:00 a.m. and 4:00 p.m. on weekdays or by email to [transportation@octn.org](mailto:transportation@octn.org) for transportation issues and [nutrition@octn.org](mailto:nutrition@octn.org) for nutrition issues.

#### **17. Reasonable Modification**

Requests for modifications of OCTN policies, practices, or procedures to accommodate an individual with a disability may be made either in advance or at the time of service. OCTN is best able to address and accommodate a request

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when customers make their requests prior to the trip. Contact OCTN office for questions

### **18. Direct Threat**

If a person is violent, seriously disruptive, or engaging in illegal conduct OCTN may, consistent with established procedures for all riders, refuse to carry the passenger. A person who poses a significant risk to others may be excluded from service if reasonable modifications to the public accommodation's policies, practices, or procedures will not eliminate that risk. (49CFR 37.5 App. D/ 29 CFR 36.208)

Behaviors that may cause immediate exclusion from OCTN services include:

- Destruction of property (the vehicle, and/or furnishings)
- Doing violence to others or to oneself
- Behavior that is seriously unruly, seriously disruptive, threatening, or frightening to others
- Behavior that interferes with the safe operation of the vehicle
- Violations of service animal policy by failing to control one's service animal
- Violations of operating rules governing the provision of transportation system-wide
- Engaging in illegal conduct.
- Other conduct judged by OCTN to represent an actual or potential threat to the health, safety or wellbeing of oneself, the operator, other passengers or participants, and/or personnel.

Individuals excluded from services due to a direct threat have the ability to request an administrative appeal by contacting Okanogan County Transportation & Nutrition at 1-800-635-4391

### **19. Grievance Procedure:**

Complaints regarding improper denial of rights under the ADA by OCTN should be submitted as per the following grievance procedure:

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1) Submit complaints regarding access or discrimination in writing to OCTN for resolution. A record of the complaints and action taken will be maintained. A decision will be rendered within ten (10) working days.

2) If the complaint cannot be resolved to your satisfaction by OCTN, it will be forwarded to the Board of Directors for consideration. The Board will be directed to hear such complaints in public, after adequate public notice, in an unbiased, objective manner and to make a written decision within 30 days of the notification. Proceedings of the committee shall be recorded and maintained. The decision of the Board of Directors is final.

3) A record of action taken on each request or complaint must be maintained as a part of the records or minutes at each level of the grievance process.

4) Your right to a prompt and equitable resolution of the complaint must not be impaired by your pursuit of other remedies, such as filing a complaint with the Washington State Department of Transportation or other appropriate federal agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.