



## **Transportation Assistant Program (TAP) American with Disabilities Act**

### **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 Senior Services of Snohomish County (dba Homage Senior Services) Transportation Assistance Program (TAP) that, when viewed in their entirety, services, programs, facilities, and communications provided by TAP, 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 TAP are not required, but suggested amount is as follows:

- Flat Rate - \$1.75
- No fare for Personal Care Attendant (PCA)

#### **2. Holiday Closures**

TAP is closed on the following recognized holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and day after, and Christmas Day.

#### **3. Approved Equipment**

Wheelchair means a mobility aid belonging to any class of three or four-wheeled devices, usable indoors, designed for and used by individuals with mobility impairments, whether operated manually or powered. A "common wheelchair" is such a device which does not exceed 30 inches in width and 48 inches in length measured two inches above the ground, and does not weigh more than 600 pounds when occupied.

In order to accommodate your wheelchair or power scooter on a TAP vehicle it must meet the following standards:

- The equipment must not weigh more than 800 lbs. when occupied.
- All walkers accepted.
- Equipment must be in good working order, with batteries charged, tires inflated, footrests attached, and all parts secure. (49 CFR 37.3)

Segway motorized personal transportation devices are allowed on TAP vehicles when used as a mobility device by a person with a disability.

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

When occupying a lift or securement area, it is recommended, but not required, that passengers apply the brakes on their mobility devices. With power chairs or scooters, it is required that the power switch be turned to the “off” position.

#### **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. 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. TAP will transport passengers whose mobility device meets the definition described in Section 3. (49 CFR 37.165)

#### **7. 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 on your application form 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 on TAP.

#### **8. 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 TAP:

- 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.
- 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))

## **9. Boarding Assistance**

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

## **10. Maintenance of Lifts or Ramps**

Drivers must test the lift or ramp during the pre-trip inspection. Break down of accessibility equipment must be reported immediately to dispatch. A vehicle with an inoperable lift or ramp must be removed from service as soon as possible and cannot be returned to service until repaired. If there is a lift or ramp 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)

## **11. Priority Seating**

Upon request, driver 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.

## **12. 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. Drivers are required to ask passengers sitting in the securement areas to move to other available seats.

### **13. Suspension of Service**

A rider's privileges may be suspended for any of the following infractions on any TAP vehicles:

- 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, station, or vehicle. (RCW 9.91.025)

### **14. Notification of Policy**

TAP will notify the public of the ADA policy on the applications, website and in the brochure.

### **15. TAP Services**

*Eligibility Requirements:* A person may access TAP if you live in rural area and have no other means of transportation.

*Service Area:* TAP service is provided outside the ADA corridor.

*Trip Scheduling:* TAP trips can be scheduled Monday through Friday, 6:30am to 4:00pm for the following week. No trip reservations will be accepted the day of the trip. All rides will be curb-to-curb and door-to-door.

*Trip Cancellation:* TAP trips can be canceled up to an hour before the ride.

### **16. Complaint Process**

Any complaints or concerns regarding Homage Senior Services' TAP program, services or business practices can contact the program directly at 425.423.8517 or call the main office number at 425.290.1247.

### **17. Reasonable Modification**

- (a) Private entities operating over-the-road buses, in addition to compliance with other applicable provisions of this part, shall provide accessible service as provided in this section.
- (b) The private entity shall provide assistance, as needed, to individuals with disabilities in boarding and disembarking, including moving to and from the bus seat for the purpose of

boarding and disembarking. The private entity shall ensure that personnel are trained to provide this assistance safely and appropriately.

(c) To the extent that they can be accommodated in the areas of the passenger compartment provided for passengers' personal effects, wheelchairs or other mobility aids and assistive devices used by individuals with disabilities, or components of such devices, shall be permitted in the passenger compartment. When the bus is at rest at a stop, the driver or other personnel shall assist individuals with disabilities with the stowage and retrieval of mobility aids, assistive devices, or other items that can be accommodated in the passenger compartment of the bus.

(d) Wheelchairs and other mobility aids or assistive devices that cannot be accommodated in the passenger compartment (including electric wheelchairs) shall be accommodated in the baggage compartment of the bus, unless the size of the baggage compartment prevents such accommodation.

(e) At any given stop, individuals with disabilities shall have the opportunity to have their wheelchairs or other mobility aids or assistive devices stowed in the baggage compartment before other baggage or cargo is loaded, but baggage or cargo already on the bus does not have to be off-loaded in order to make room for such devices.

(f) The entity may require up to 48 hours' advance notice only for providing boarding assistance. If the individual does not provide such notice, the entity shall nonetheless provide the service if it can do so by making a reasonable effort, without delaying the bus service.

#### **18. Non-Discrimination**

(a) No entity shall discriminate against an individual with a disability in connection with the provision of transportation service.

(b) Notwithstanding the provision of any special transportation service to individuals with disabilities, an entity shall not, on the basis of disability, deny to any individual with a disability the opportunity to use the entity's transportation service for the general public, if the individual is capable of using that service.

(c) An entity shall not require an individual with a disability to use designated priority seats, if the individual does not choose to use these seats.

(d) An entity shall not impose special charges, not authorized by this part, on individuals with disabilities, including individuals who use wheelchairs, for providing services required by this part or otherwise necessary to accommodate them.

(e) An entity shall not require that an individual with disabilities be accompanied by an attendant.

(f) Private entities that are primarily engaged in the business of transporting people and whose operations affect commerce shall not discriminate against any individual on the basis of disability in the full and equal enjoyment of specified transportation services. This obligation includes, with respect to the provision of transportation services, compliance with the requirements of the rules of the Department of Justice concerning eligibility criteria, making reasonable modifications, providing auxiliary aids and services, and removing barriers (28 CFR 36.301-36.306).

(g) An entity shall not refuse to serve an individual with a disability or require anything contrary to this part because its insurance company conditions coverage or rates on the absence of individuals with disabilities or requirements contrary to this part.

(h) It is not discrimination under this part for an entity to refuse to provide service to an individual with disabilities because that individual engages in violent, seriously disruptive, or illegal conduct. However, an entity shall not refuse to provide service to an individual with disabilities solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of the entity or other persons.