

light rail system operates longer hours than the fixed route bus service. Paratransit service must match these longer hour in the area served by the subway or light rail system. It can operate fewer hours in outlying areas which have only fixed route bus service.

Working with other providers, particularly private taxi and van operators, can help you provide this service.

- ☛ Options for brokering portions of your service or operating a user-side subsidy program to meet certain demands are discussed in Chapter 6.

Capacity Constraints

This provision of the regulations prohibits public entities from limiting the amount of complementary paratransit service provided to ADA paratransit eligible persons. Because of the basic differences between the way that fixed route and paratransit services are provided, it is perhaps the most difficult criterion to understand and “equate”.

Actions and situations that are considered to cause limitations, or constraints, include:

- ! Policies that restrict, or “cap”, the number of trips provided to an individual;
- ! Maintaining waiting lists for (non-subscription) trip requests that cannot be accommodated. This includes having a “stand-by” list and either calling individuals on the list when there are cancellations or asking riders to call back on the day of service to see if there were cancellations;
- ! Operational patterns or practices that significantly limit the availability of service. This includes operating a system in such a way that there are a substantial numbers of: ***untimely pickups; trip denials; missed***

trips; or excessively long trips.

To determine whether or not your system is capacity constrained under the third category, look for ***patterns and practices*** rather than individual, one-time incidents. You are not responsible for operational problems caused by circumstances beyond your control. Trips provided late or missed because of unanticipated weather or traffic problems would not, for example, constitute a pattern or practice. Repeated incidents caused by poor maintenance or excessively tight scheduling would, however, trigger this provision.

Operational problems also must be ***substantial***. In any paratransit service, given the complexity of the operation, there are trips that are missed and times when vehicles break down or run late, even with the best management. Occasional late trips or trips that are only late by a small amount

of time would not be counted under this provision. Denying a limited number of trips due to an ***unanticipated*** rise in demand also would be acceptable.

Even after complementary paratransit service has been fully implemented, you may face end of the year budget realities which will lead to

capacity constraints that you had not anticipated. Estimates of demand made at the beginning of the fiscal year may be below actual ridership. Trip denial rates may have to increase at year’s end if additional funding cannot be provided. In such cases, be prepared to show that a “good faith effort” was made in the original estimation of demand and in seeking additional funding. Also notify the agency to whom you submitted your ADA paratransit plan (your UMTA regional office or state administering agency).

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In order to determine whether capacity constraints exist, you need to define what constitutes a “missed” trip, what “on-time” performance means, when a trip has been “denied”, and when travel time is too long. For example, is service “on-time” if the pick-up and drop-off are within fifteen minutes of the scheduled time? half an hour? At what point in time does a trip go from being late to “missed”? And, if travel time is twice that of a fixed route trip, is it too long?

The regulations permit pickups to be scheduled up to an hour before or after the requested time. Offering a trip beyond this time should therefore be considered a “denial” of service if the proposed pickup time is unacceptable to the individual.

Other definitions should be developed with the input of persons with disabilities. Table 5.1 offers ways to measure each of these “level of service indicators”. It also provides suggested standards that would be comparable to similar service measures on a fixed route system.

Section 2.

Other Equipment and Operating Requirements

In addition to the six service criteria listed above, there are several operating and equipment standards included in the USDOT regulations. Undue financial burden waiver provisions do not apply to these requirements. Compliance is required without exception. Each standard is described below.

No-Show Policies

Section 37.125(h) of the regulations allows the provision of complementary paratransit service to be suspended, for a reasonable period of time, in cases where an individual consistently misses scheduled appointments. This provision does not apply to trips that are missed for reasons that are beyond the individual’s control. Scheduling problems, late pickups, and other operational problems must be considered beyond the rider’s control.

**Table 5.1
Possible Paratransit Capacity Constraint Indicators**

Level of Service Indicator	Measure	Standard
Travel Time	Time between pick-up and drop-off	Compare to fixed route travel time (same, twice, etc.)
Missed trips	Percent of one-way trips canceled by the provider plus trips provided too late for rider to meet appointment.	Compare to percent of fixed route runs canceled.
Trip denials	Number of one-way trips unable to be scheduled.	Compare to “unmet” fixed route need; potential trips on routes that could be justified by projected fare recovery but are funded.
On-time performance	Percent of trips provided within a given window of time (± 15 minutes, ± 30 minutes, etc.)	Compare to fixed route schedule adherence, or define the “window” as a percent of fixed route headway (eg. half the headway).

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You also should differentiate between “no-shows” and canceled trips. If notice is given by the rider far enough in advance to allow you to re-route the vehicle, the trip should be recorded as being canceled.

Persons with disabilities should have input into the development of your no-show policy. Their experience as users of your system will be important in addressing details such as:

- ! the number and frequency of no-shows that justify a suspension of service;
- ! the amount of advance notice that riders must give if they want to cancel a trip; and,
- ! the length of time for which service can be suspended.

Other incentives and disincentives also should be considered. For example, charge individuals (or sponsoring agencies) the amount of the fare or marginal cost of service. Contact individuals if they begin to miss trip appointments to determine if there is a service problem that needs to be corrected. Be sure they understand the no-show policy. Regularly notify all riders through a newsletter or flyer of the importance of canceling trips they do not intend to take.

Before you can suspend service, the regulations require that you notify the individual, in writing, of your intent to suspend service. This notification must cite, in detail, the basis for the proposed suspension and the exact sanctions that will be imposed. Individuals also must be given an opportunity to be heard and to present information and arguments. The availability of this appeal should be explained in the initial notice that is given. The same appeal process used to review eligibility determination denial should be used.

- ☛ The appeal process is described in Section 5 of Chapter 4 of this handbook.

Types of service

The appropriate use of “on-call bus service” and

“paratransit feeder service” is addressed by §37.129 of the regulations. On-call bus service, also known as Call-A-Lift-Bus service, allows a rider to make an advance reservation for an accessible fixed route bus.

- ☛ Section 3 of Chapter 6 describes this type of service in more detail.

Paratransit feeder service refers to providing an individual with paratransit for only that portion of their trip which they cannot manage.

Paratransit service is to be provided for the entire trip (i.e. origin-to-destination) in all but the following cases:

- ! If an individual is able to use an accessible bus, but the fixed route on which they want to travel is not accessible, on-call bus service may be provided;
- ! If an individual is able to use an accessible bus, but the closest fixed route is not accessible, feeder service may be provided to another accessible fixed route;
- ! If a person is not able to get to a station or stop because of a “specific impairment-related condition” (eligibility category 3), feeder service may be provided.

On-call bus service must meet all of the paratransit service criteria, except for the criterion concerning fares. On-call bus service fare must be equal to fixed route bus fares (including discounts).

When feeder service is provided, the rider cannot be double charged for the trip. The total fare cannot exceed the equivalent origin-to-destination paratransit fare. Feeder service can be used as a connector to either end of a fixed route trip. Total travel time, operational feasibility, and inconvenience to the rider should be considered if feeder service is employed. For some trips, it may be more convenient