Charlotte Rides

Safe. Local. Free.

Charlotte Rides

Americans with Disabilities Act of 1990 (ADA)
Policy and Procedures

Date: April 10, 2025

Introduction and Purpose

This policy is written to establish operating and service guidelines and procedures for the implementation of the requirements of the Americans with Disabilities Act of 1990 (ADA), the U.S. Department of Transportation (U.S. DOT) regulations for implementing ADA (49 CFR Parts 27, 37 and 38), and applicable state laws and regulations. Charlotte Rides operates services on a demand response basis and complies with ADA requirements with respect to such services.

Policy Statement

It is the policy of Charlotte Rides to comply with all the legal requirements of federal and state laws and regulations as they pertain to individuals with disabilities. If state laws and federal regulations are contradictory, the federal ADA regulations prevail. The transit system provides quality transportation services without discrimination to all persons including individuals with disabilities. Discrimination on the basis of disability against any person by transit employees will not be condoned or tolerated.

Goals

Service is provided in a manner that meets these goals to:

1. provide safe, accessible, and dignified services to all persons, including individuals with disabilities.
2. expedite the safe and efficient boarding, securing, transporting, and alighting of all passengers, regardless of mobility status.
3. accommodate the wide range of mobility aids within the confines of available vehicles and commercial standard equipment.

Applicability

This policy applies to all transit employees, services, facilities, and vehicles. It applies equally to all persons needing and/or using the services provided by the system.

Definitions

Disability: With respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.

Mobility Device: A device that is designed to assist an individual with disabilities with locomotion. Examples include wheelchairs, canes, crutches, and walkers. Also called mobility aid.

Securement Area or Station: A designated location for riders using wheelchairs, equipped with a securement system.

Securement Device, Equipment or System: Equipment used for securing wheelchairs against uncontrolled movement during transport.

Service Animal: Any guide dog, signal dog, or other animal that has been individually trained to work or perform tasks for an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

Wheelchair: 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.

General Guidance and Procedures for Implementation

Recruitment and Employment

As stated in the transit system's personnel policies, the agency is an Equal Opportunity Employer (EOE) and fully complies with ADA in its recruitment, hiring, and continued employment practices.

Facility and Vehicle Accessibility

The transit system administrative facility, passenger facilities and vehicles shall meet or exceed the requirements of 49 CFR Parts 27, 37 and 38 and requirements of the State of Florida. If state requirements do not meet federal requirements, the federal ADA regulations prevail. Vehicles purchased for demand response service will only be non-accessible to the extent that the demand response system, when viewed in its entirety, provides the same level of service for individuals with disabilities as for individuals without disabilities. Charlotte Rides will conduct an analysis of service equivalency prior to the acquisition of any inaccessible vehicles for demand-responsive service.

Vehicle and Route Assignment

The demand response system of Charlotte Rides, when viewed in its entirety, is accessible. All trips by wheelchair users will be assigned to accessible vehicles. To the extent possible, the assignment of types of vehicles will be based upon rider needs. Trip denials will be tracked by whether a rider requires use of the lift or ramp, to monitor that service is not disproportionately denied to individuals with disabilities because an accessible vehicle is not available. Charlotte Rides provides demand response public transportation and provides equivalent service to individuals with disabilities, that is consistent with U.S. DOT ADA regulations under 49 CFR Part 37, Section 37.77. This transportation will be provided in the most integrated setting appropriate to the needs of the individual and will be equivalent to the service provided other individuals with respect to:

- Response time
- Fares (At this time, Charlotte Rides is fare free)
- Geographic area of service
- Hours and days of service
- Restrictions or priorities based on trip purpose

- Availability of information and reservations capability
- Any constraints on capacity or availability

Maintenance of Accessible Features
Accessibility features on vehicles including lifts, ramps, wheelchair securement devices, signage, and communication devices will be maintained in operative condition. The preventive maintenance program of Charlotte Rides provides for regular and frequent maintenance checks of these features as well as preventive maintenance as recommended by the equipment manufacturers. In addition, the lift must be cycled as part of each pre-trip inspection.

Inoperative Lifts and Ramps
Drivers are required to report lift or ramp failures immediately. Vehicles with inoperative lifts will be removed from service and replaced with an accessible vehicle until the inoperative lift is repaired. For vehicles equipped with ramps, it may be possible to continue in service so long as the ramp can be and is deployed manually when necessary. If an inoperative ramp cannot be (or is not) deployed manually, the transit agency will apply the policy for a vehicle with an inoperative lift.

Wheelchair Accommodation
All accessible vehicles meet or exceed the requirements of 49 CFR Part 38. Transportation providers are required to carry a wheelchair and its user, so long as the lift can accommodate the size and weight of the wheelchair and its user and there is space in the securement area for the wheelchair on the vehicle without blocking the aisle. If a vehicle lift/ramp and securement area can accommodate a mobility device, Charlotte Rides will transport the device and its user.

An individual who uses a wheelchair that, when occupied, exceeds the weight rating of the vehicle lift/ramp, will be offered the opportunity to board and disembark from the vehicle separately from the wheelchair. However, transit agency personnel are not required to operate a passenger's wheelchair.

Boarding
Drivers and scheduling practices will provide adequate time for a passenger with a disability to board and/or disembark the vehicle, which includes adjusting the schedule if necessary and waiting for passengers to be seated before moving the vehicle. Only a properly trained transit system employee can operate the lift or ramp and secure the wheelchair in the securement station. Passengers may board facing toward or away from the vehicle.

Wheelchair Securement
Charlotte Rides requires that all wheelchairs be secured. Drivers should not allow a passenger to ride if they are not secured properly unless the securement system will not accommodate the wheelchair. Drivers cannot deny a passenger a ride based on the inability to secure the wheelchair. However, drivers must warn the passengers of the danger of riding in a non-secured wheelchair. Passengers who refuse to allow their wheelchairs to be secured may be denied service.

Securement of wheelchairs is the responsibility of the driver. Drivers are trained in the proper operation of all securement equipment based on the equipment manufacturer's specifications.

Drivers will listen to and respect riders' instructions on how to secure their equipment. Drivers cannot be expected to be familiar with every wheelchair type that may come aboard, and securement attachment points may differ by wheelchair manufacturer. The rider may be in the best position to instruct the driver on how to properly secure their mobility device.

If the securement system is not compatible with the wheelchair the passenger is using, the driver will still attempt to safely secure the wheelchair. If the wheelchair cannot be secured because of the wheelchair design, the passenger still has the right to ride in the vehicle.

Drivers must secure wheelchairs in the designated securement area only, even if the passenger wants their mobility device to be secured in a non-designated area. The wheelchair is not allowed to block the aisle.

Seat belts and shoulder harnesses are recommended but not required for passengers riding in their secured wheelchair. Seat belts will never be used instead of independent securement of the passenger's wheelchair.

Driver Assistance
Drivers will make themselves available to assist individuals with disabilities and will assist upon request of the passenger. Drivers will assist a passenger with using the accessibility-related equipment and features on the vehicle including the ramp, lift, and/or securement systems.

Use of Lift or Ramp by Individuals with Disabilities Not Using a Mobility Device
The driver will deploy the lift or ramp for an individual with a disability who is not using a mobility device to board or alight the vehicle upon request.

Accommodation of Other Mobility Devices
Mobility devices that are not wheelchairs, but which are primarily designed to for use by individuals with mobility impairments, will be accommodated to the extent that the ADA-compliant lift or ramp and securement areas can safely do so. However, these devices are the responsibility of the individual passenger and must be secured in a manner that does not interfere with the safe operation of the vehicles and the transport of other passengers.

Transfer to Fixed Seating
All passengers using wheelchairs have an option of transferring to fixed seating once on board the vehicle. Drivers may recommend, but never require, wheelchairs users to transfer to fixed seating. No waivers are allowed to be required.

Accommodation of Portable Oxygen
Individuals are allowed to travel with respirators and portable oxygen supplies on board, consistent with applicable U.S. DOT rules on the transportation of hazardous materials in 49 CFR Subtitle B, Chapter 1, Subchapter C.

Priority Seating
With the exception of the wheelchair securement stations, Charlotte Rides does not require any passenger to sit in designated seating.

Priority seating for seniors and individuals with disabilities is to be designated by permanent signage in each vehicle. In cases where an individual with a disability requests use of priority seating that is currently occupied by another passenger, the driver will ask that passenger to move to allow the individual with a disability use of the priority seating. In cases where a wheelchair

user requires the use of a securement location, the driver will ask any passenger (including other passengers with disabilities) to vacate the securement location.

Service Animals
In compliance with 49 CFR Part 37, Charlotte Rides allows service animals to accompany passengers with disabilities. The driver will not ask for proof of the qualifications of the animal but may ask what tasks the animal has been trained to perform. However, any animal which is not under the passenger's control or which becomes a direct threat to the health or safety of other passengers may be restricted from riding.

Boarding and Alighting
It is the responsibility of the driver to determine that the location for passenger alighting is safe. The driver will allow a passenger who uses the lift or ramp to alight at any stop, unless the lift or ramp cannot be deployed, will be damaged if deployed, or conditions at the stop would present unsafe conditions for all passengers. Only the driver will unsecure the wheelchair and operate the lift or ramp to return the passenger to the ground level.

Staff Training
All drivers and transit staff are trained to proficiency in use of accessibility equipment, the operating policies related to each of the service requirements described, and in properly and respectfully assisting and treating individuals with disabilities with sensitivity. Mechanics are trained to properly maintain lifts and other accessibility equipment.

Rider Information
All printed informational materials are made available in accessible formats upon request, for example, large print for individuals with low vision or audio for blind individuals, as well as accessible electronic formats.

Complaint Procedure
All complaints of discrimination based on disability will be promptly and objectively investigated and forwarded to the Transit Operations Manager and promptly and objectively investigated. Charlotte Rides will promptly communicate its response to the complaint allegations, including its reasons for the response, to the complainant. The response will be documented. Corrective or disciplinary action will be taken for behavior prohibited by this policy, up to and including termination of employment. Documentation of each complaint will be kept on file for record retention purposes.

Reasonable Modification of Policy
If a passenger with a disability requires modification of any of Charlotte Rides policies and practices to accommodate their disability to use the service, the passenger may request such a modification by contacting the reservation line. Charlotte Rides will work with the individual to find an acceptable accommodation solution.

Where a request for modification cannot practicably be made and determined in advance operating personnel will make a determination of whether the modification should be provided at the time of the request. Operating personnel may consult with Transit Operations Manager before making a determination to grant or deny the request.

Requests for modification of policies and practices may be denied only on one or more of the following grounds:

- Granting the request would fundamentally alter the nature of Charlotte Rides services, programs, or activities
- Granting the request would create a direct threat to the health or safety of others
- Without the requested modification, the individual with a disability can fully use Charlotte Rides services, programs, or activities for their intended purpose

If Charlotte Rides denies a request for a reasonable modification, the agency shall take to the maximum extent possible, other actions that would not result in a direct threat or fundamental alteration of service to ensure that the individual with a disability receives the services or benefit provided by Charlotte Rides.

Guidelines for Implementing Demand Response Services

Service in the Most Integrated Setting

Charlotte Rides demand response transportation service is a shared-ride service. It is the policy of Charlotte Rides to provide service for individuals with disabilities in the most integrated setting appropriate to the needs of the individual, including providing service to individuals with disabilities on the same vehicles and together with all other riders.

Service Characteristics

Charlotte Rides shall ensure that individuals with disabilities receive the same level of service as individuals without disabilities. The demand response system of Charlotte County when viewed in its entirety, provides an equivalent service to individuals with disabilities, including individuals who use wheelchairs, with respect to the following service characteristics:

- **Response time:** individuals with disabilities are not required to reserve services further in advance than other individuals.

- **Fares:** individuals with disabilities are not charged higher fares than other individuals. At this time, Charlotte County does not charge any passenger for fares.

- **Geographic area of service:** individuals with disabilities can use the service to travel to and from the same areas as other individuals.

- **Hours and days of service:** individuals with disabilities can use the service during the same days and hours as other individuals.

- **Restrictions or priorities based on trip purpose:** travel by individuals with disabilities is not restricted by trip purpose any more than travel by other individuals.

- **Availability of information and reservations capability:** individuals with disabilities have access to the same information and reservations capability as other individuals.

- **Any constraints on capacity or service availability:** travel by individuals with disabilities is not limited by capacity any more than travel by other individuals.

Passenger Assistance

Demand response services will be provided on a curb-to-curb basis. Transit drivers will assist riders with disabilities in boarding and alighting from vehicles and in securing wheelchairs. All drivers who operate transit services will be proficiently trained in passenger assistance and sensitivity towards persons with disabilities.

Transit drivers will not lift a passenger, leave a vehicle unattended or out of visual observation for a lengthy period, enter a rider's home, care for service animals, operate a power wheelchair, provide personal care attendant (PCA) service, or take actions that would be clearly unsafe. If more extensive assistance is needed by the individual than Charlotte Rides can provide as provider of public transportation, the individual will be responsible for arranging for personal assistance. Charlotte Rides will work with the individual and/or their caregiver/social worker to clarify parameters of the assistance that can be provided by the driver and formally document this in a letter sent to the individual.