

3.2 AMERICANS WITH DISABILITIES ACT (ADA) **Amended 5/22/2017, Updated 8/2020, Updated** **11/2020, Updated 12/2021, Updated 9/2024**

Purpose: 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.

Policy: It is the policy of Skamania County Senior Services Transportation Program that, when viewed in their entirety, services, programs, facilities, and communications provided by SCSS Transportation Program, 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

Fare

One-way Fares for Skamania County Senior Services Transportation Program are as follows:

Transit:

- Age 18 and older: \$2.00 within County, \$4.00 out-of-County
- Age 11-17 \$0.50 within County, \$1.00 out-of-County
- 10 & Under: Free

Holiday Closures

SCSS Transit Program will not run on the following national and state observed holidays: New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, day after Thanksgiving, and Christmas Day.

Approved Equipment: Passengers will be transported provided with the lift and vehicle van physically accommodates them, unless doing so is inconsistent with legitimate safety requirements. Additionally, our agency can accommodate mobility devices that meet the following minimum standards: Wheelchair is defined as a manually operated or power-driven device primarily for use by an individual with a mobility disability for the main purpose of indoor or of both indoor and outdoor locomotion. Other power –driven mobility device (OPDMD) is defined as any mobility device powered by batteries, fuel and other engines that is used by individuals with mobility disabilities for the purpose of locomotion including electronic personal assistance mobility devices such as Segway are allowed.

Skamania County Public Transportation Policies and Procedures

- The wheelchair-based equipment may have 3 or more wheels.
The equipment must not weigh more than 1000 lbs. when occupied.
- Walkers must be collapsible and stored between seats or in the vehicle's trunk.

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.

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))

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 suggest the most optimal tie-down spot. The mobility device will be secured front facing. 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. SCSS Transportation Program cannot refuse to transport someone whose mobility device cannot be satisfactorily restrained provided that mobility device fits within the definition described in Section 3. (49 CFR 37.165)

Stop Announcements: Stops at major intersections, transfer points, and destination points will be announced on fixed route buses. Transit operators will announce other stops upon request. (49 CFR 37.167 (a-c))

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 whether 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 SCSS Transportation Program vehicles. 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))

Service Animals:

- A service animal is any guide dog, signal dog, or miniature horse individually trained to work or perform tasks for an individual with a disability. To ride SCSS Transportation Program:

Skamania County Public Transportation Policies and Procedures

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

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. Bus operators shall aid passengers upon request. Passengers with disabilities shall be allowed adequate time to board and disembark the vehicle.

Fare Handling Assistance: If a passenger cannot physically pay the fare by the established means, Skamania County Transit staff will grant passenger's request to handle the fare while assisting with payment. Skamania County Transit staff are not required to reach into customer pockets, backpacks, or other personal belongings to extract the fare.

Maintenance of Lifts or Ramps: Bus operators must test the lift or ramp during the pre-trip inspection. Breakdown 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)

Priority Seating: Upon request, transit 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.

Reserved Seating on Transit Buses: 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. Mobility device securement areas on transit buses may be reserved by contacting SCSS Transportation Dispatcher (509) 427-3990 at least 24 hours prior to the transit trip.

Skamania County Public Transportation Policies and Procedures

Complaint Process: SCSS Transportation Program is committed to providing safe, reliable, and accessible transportation options for the community. SCSS Transportation Program has established a Customer Complaint Form and customers wishing to file a complaint may contact Sophie Miller, Program Manager at (509) 427-3990, miller@co.skamania.wa.us, or in person at SCSS Transportation Program's administration office located at 710 SW Rock Creek Drive, Stevenson, WA 98648. Complaint forms are available on all SCSS Transportation Program vehicles, online on our website www.skamaniacounty.org/departments-offices/senior-services/services/public-transportation or in the office. (RCW 46.07b) SCSS will respond to applicants in writing within 14 days of receiving the application. If the applicant does not receive an answer within 21 days, the applicant shall be treated as eligible and provided services until an answer is received.

Suspension of Service: A rider's privileges may be suspended for any of the following infractions on any SCSS Transportation 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, station, or vehicle. (RCW 9.91.025)

Appeal of the Suspension:

1. Any individual, group of individuals, or entity that wants to appeal the suspension may file a written appeal with the Skamania County Board of Commissioners, P.O. Box 790, Stevenson, WA 98648. Skamania County will not officially act or respond to appeals made verbally.
2. Upon receipt of a written complaint, the Board will determine its jurisdiction, the need for additional information, and the investigative merit of the appeal.
3. Upon completion of the investigation, both the person appealing and SCSS shall receive a copy of the report.

Notification of Policy: SCSS Transportation Program will notify the public of the ADA policy on the Skamania County's website, transportations brochures, and within the Skamania County written Transportation Policies and Procedures.

1. Reasonable Modification

Requests for modifications of SCSS Transit policies, practices, or procedures to accommodate an individual with a disability may be made either in advance or at the time of the

Skamania County Public Transportation Policies and Procedures

transportation service. SCSS Transit is best able to address and accommodate a request when customers make their requests before the trip. Contact SCSS Transit office customer service for questions

2. Direct Threat

If a person is violent, seriously disruptive, or engaging in illegal conduct SCSS Transit 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 the system include:

- Destruction of public property (the vehicle, and/or its 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 SCSS to represent an actual or potential threat to the health, safety or wellbeing of oneself, the operator, other passengers, and/or transit personnel.

Passengers who are excluded from the system due to a direct threat could request an administrative appeal by contacting SCSS transit at 509-247-3990.