

ADA Requirements for Fixed-Route Transit and Paratransit Services

In general, the ADA requires transit systems to make their fixed-route transit services accessible to and usable by people with disabilities, and most transit systems meet or exceed these requirements. What follows is a summary of what the ADA requires for fixed-route transit and paratransit services. At the end of this document is a list of resources that can provide greater depth and detail.

ADA Requirements for Fixed-Route Transit

- Transit facilities (including rail stations, bus terminals, and transit centers) must be accessible to people with disabilities, including people using mobility devices.
- All vehicles (including rail cars and buses) must be accessible to and usable by people with disabilities. Specific requirements include lifts or ramps, securement areas for mobility devices, high contrast marking at door and step edges, and grab bars to assist with balance.
- Transit agencies are required to ensure that drivers announce the destination of their vehicle at any stop serving multiple routes. (These announcements can also be automated.)
- Transit agencies are required to ensure that drivers announce stops at major intersections, points of interest, transfer points with other routes, at a sufficient interval along a route to allow for a person with a disability to remain oriented as to their location, and any additional stops requested by passengers with disabilities. (These announcements can also be automated.)
- Transit agencies are required to designate the seats near the front of buses and near the entrance doors of rail cars as “priority seating” for people with disabilities and seniors. The law does not give transit agency personnel the right to require non-disabled passengers to move in order to accommodate seniors or people with disabilities who need or wish to use these priority seats.
- Transit agency drivers are required to deploy the lift or ramp for any passenger who requests it, whether or not the passenger is using a mobility device.
- Transit agencies are required to permit passengers traveling with service animals to bring their service animals with them when using transit. Service animals must be under the control of the passenger and may not sit on seats or block aisles, entrances or exits. Transit agency personnel are permitted to ask whether an animal is a service animal and what services the animal is trained to perform, but

personnel may not require documentation proving that an animal is a service animal. Transit agencies may bar access to any animal (including a service animal) that is not under the physical or verbal control of its handler, that acts in a manner that is threatening to other passengers or the driver or that disrupts service in a way that potentially threatens the health or safety of others, and a service animal handler can be held legally and/or financially responsible for any damage or disruptions caused by their service animal.

- Transit agencies are required to make information about their services (including information about how to use the service, routes, schedules, etc.) available to people with disabilities in alternate formats upon request. Consideration must be given to the format requested by the customer, but the agency is legally required to provide information in a format that is accessible to the customer.
- Transit agencies are required to maintain the accessibility features of transit facilities and vehicles.
- Transit agencies are required to provide a sufficient amount of training to employees to ensure that they are able to fulfill the agency's responsibilities under the ADA.

ADA Requirements for ADA Paratransit

The Americans with Disabilities Act (ADA) requires transit agencies to provide origin-to-destination (typically defined as curb-to-curb or door-to-door) service called "paratransit" for people with disabilities who are unable to independently use fixed-route transit for some or all trips. At a minimum, service must meet the following requirements.

- Service must be available in the same areas and during the same days and hours as fixed-route transit. Specifically, the law requires that service be available in all locations that are within $\frac{3}{4}$ of a mile of any fixed-route bus route or around any light rail station at any time when service is operating. These requirements do not apply to corridors where only express bus or commuter rail services operate.
- Passengers must be able to request trips between one and up to fourteen days before travel. Most agencies operate call centers where customers can request trips. A growing number also allows customers to book trips through a mobile app or online.
- The provider may negotiate a pick-up time of up to one hour before or after the passenger's requested pick-up time. However, agencies may not offer a pick-up time that violates the nature of the customer's reason for requesting the trip. For example: if a customer has requested a trip to get to work for an 8:00 a.m. start time, the provider cannot offer a pick-up time that will cause the rider to be late

for work. To address issues of this nature, most paratransit providers will schedule by requested pick-up time or requested appointment time.

- Once a time is agreed upon, the provider is permitted to arrive within a specified window of time, generally referred to as a pick-up window. In most systems, this pick-up window is about thirty minutes in length, meaning that the customer must be ready to travel at any time within this thirty-minute pick-up window.
- Upon arrival, most paratransit providers will wait for a specified period of time, generally referred to as a “boarding window.” Typically, the boarding window lasts about five minutes, and if the vehicle arrives within the pick-up window and the rider fails to arrive within the provider’s boarding window, the provider may charge the passenger with a “no-show” and proceed with the route. Repeated no-shows can result in temporary loss of service.
- The ADA allows local agencies to set the level of service that drivers will provide as long as the agency provides reasonable assistance based on each customer’s need. As a result, service may be either “curb-to-curb” or “door-to-door.” In a curb-to-curb system, the rider must meet the vehicle at the curb or in a parking area near the rider’s pick-up address, and the rider will be dropped off at the curb or in a parking area near the rider’s destination. Drivers may assist the rider with boarding and exiting the vehicle, securing the mobility device or seatbelt, and collecting the fare. In a door-to-door system, the driver will provide the same assistance as described for curb-to-curb service, and the driver will also meet the passenger at the outermost door of the rider’s pick-up address and assist the rider to the outermost door of the rider’s destination. If the rider’s disability creates the need for door-to-door service, and the system is designated as curb-to-curb, the rider can request, and must receive, door-to-door service. The ADA does not require agencies to provide service beyond door-to-door service. If a rider needs assistance beyond this level, the rider is guaranteed the right to travel with a Personal Care Attendant (PCA).
- Trips are often shared with other riders traveling in the same direction as the passenger. As a result, paratransit trips often take longer than if the same trip were provided in a sedan. This is legal as long as the total trip length does not exceed the amount of time the same trip would require if it were made on fixed-route transit—including the actual time required to walk to and from the system, time riding the bus (or buses) and the time required to wait at any transfer locations.)
- Transit agencies may charge up to twice the non-discounted bus fare for the same trip. Some states and communities have established local ordinances that cap paratransit fares at lower levels.
- There are no limits on the number of trips a rider may take or on the purposes for which riders may travel. Agencies are legally prohibited from

denying eligible trips or for prioritizing any type of trip relative to other trips. In other words, agencies cannot give a higher priority to medical or work trips than trips for personal recreation.

The ADA provides basic guidance for who is eligible for paratransit and minimal standards for local eligibility procedures, but each local transit agency establishes its own procedures for determining who is eligible and under what circumstances they can use paratransit. In general terms, the ADA requires transit agencies to determine whether each applicant for paratransit is eligible unconditionally, conditionally (meaning that they can use paratransit for some trips but not others), or not eligible (meaning that the agency believes the applicant's disability does not limit their use of fixed-route transit. In addition, eligibility can be permanent or temporary. "Permanent" means that the applicant's disability is not expected to change during the agency's specified term of paratransit eligibility (usually three to five years long). In other words, a person who receives permanent eligibility will probably need to reapply every three to five years in order to continue using paratransit. Temporary eligibility is typically given to individuals who have a disability that is likely to improve significantly within a short period of time (generally less than one year), at which point, the applicant may need to reapply for continued paratransit eligibility. The ADA guarantees the right of an applicant to appeal their eligibility determination if they believe it was made incorrectly, and the law includes timelines that transit agencies must meet for making eligibility determinations and for deciding on eligibility appeals.

For More Information About ADA Requirements for Transit and Paratransit

The following resources provide a greater level of detail regarding ADA requirements for fixed-route transit and paratransit services.

ADA Regulations

49 Code of Federal Regulations Part 37

Transportation Services for Individuals with Disabilities

These are the published and amended ADA regulations for transit agencies as promulgated by the US Department of Transportation.

<https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/part-37-transportation-services-individuals-disabilities>

2015 Federal Transit Administration's ADA Circular

In November of 2015, the Federal Transit Administration issued a comprehensive manual for transit agencies who are responsible for implementing and maintaining ADA-compliant transit and paratransit services. This 306-page manual



addresses virtually every aspect of public transit from stations and facilities to vehicles, fixed-route transit, on-demand services, paratransit and other services and discusses each in light of ADA requirements and more recent legal and regulatory guidance. The circular also features examples of good practices that agencies and providers may wish to consider as they design, develop and deliver accessible transit and paratransit services.

https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Final_FTA_ADA_Circular_C_471_0.1.pdf

ADA Accessibility Standards

The ADA Accessibility Standards, which are promulgated by the US Access Board, provide technical guidance for individuals and organizations who design, build and operate an entire range of facilities and equipment, including facilities and equipment within the transit industry. The ADAAG covers everything from signage requirements to the required dimensions for elevator cars and everything in-between.

<https://www.access-board.gov/ada/>

This information is adapted from our course, [Gearing Up for Transit: Options and Advocacy Skills for People Who Are Blind or Have Low Vision](#). The course was developed by [Accessible Avenue, LLC](#).



blind.msstate.edu

nrtc@colled.msstate.edu

662-325-2001