New York State Department of Transportation (NYSDOT)

TRANSPORTATION SERVICES FOR INDIVIDUALS WITH DISABILITIES

Demand Response Policy, including: Paratransit as a Complement to Fixed Route Service

Recipients of federal funds should be familiar and comply with the following criteria when providing Paratransit as a Complement to Fixed Route Service. Performance of paratransit services require a copy of an approved paratransit plan by on file with NYSDOT at all times. Below you will find criteria applying to eligibility; service types and standards; development, submission and implementation of plans; and the approval process. This criteria and how you will apply it should be present in your plan.

Later in this document, demand response services are discussed and their definitions are provided. These services are an alternative to providing complementary paratransit, however, they are open to all individuals, no exceptions.

This guidance document is structured in three (3) parts:

PART I – Complementary Paratransit Services
PART II – Demand Response Services (Route Deviation, Point Deviation & Dial-A-Ride)
PART III – Other Service Requirements

PART I - COMPLIMENTARY PARATRANSIT SERVICES

Per Title 49: Transportation PART 37—TRANSPORTATION SERVICES FOR INDIVIDUALS WITH DISABILITIES (ADA), Subpart F—Paratransit as a Complement to Fixed Route Service, the following applies.

Per Section § 37.121 Requirement for comparable complementary paratransit service. (a) Except as provided in paragraph (c) of this section, each public entity operating a fixed route system shall provide paratransit or other special service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed route system. (b) To be deemed comparable to fixed route service, a complementary paratransit system shall meet the requirements of §§37.123–37.133 of this subpart. The requirement to comply with §37.131 may be modified in accordance with the provisions of this subpart relating to undue financial burden. (c) Requirements for complementary paratransit do not apply to commuter bus, commuter rail, or intercity rail systems.

Per Section § 37.123 ADA paratransit eligibility: Standards. (a) Public entities required by §37.121 of this subpart to provide complementary paratransit service shall provide the service to the ADA paratransit eligible individuals described in paragraph (e) of this section. (b) If an individual meets the eligibility criteria of this section with respect to some trips but not others, the individual shall be ADA paratransit eligible only for those trips for which he or she meets the criteria. (c) Individuals may be ADA paratransit eligible on the basis of a permanent or temporary disability. (d) Public entities may provide complementary paratransit service to persons other than ADA paratransit eligible individuals. However, only the cost of service to ADA paratransit eligible individuals may be considered in a public entity's request for an undue financial burden waiver under §§37.151–37.155 of this part. (e) The following individuals are ADA paratransit eligible: (1) Any individual with a disability who is unable, as the result of a physical or mental impairment (including a vision impairment), and without the assistance of another individual (except the operator of a wheelchair lift or other boarding assistance device), to board, ride, or disembark from any vehicle on the system which is readily accessible to and usable individuals with disabilities. (2) Any individual with a disability who needs the assistance of a wheelchair lift or other boarding assistance device, to board, ride, or disembark from any vehicle which is readily accessible to and usable by individuals with disabilities if the individual wants to travel on a route on the system during the hours of operation of the system at a time, or within a reasonable period of such time, when such a vehicle is not being used to provide designated public transportation on the route. (i) An individual is eligible under this paragraph with respect to travel on an otherwise accessible route on which the boarding or disembarking location which the individual would use is one at which boarding or disembarking from the vehicle is precluded as provided in §37.167(g) of this part. (ii) An individual using a common wheelchair is eligible under this paragraph if the individual's wheelchair cannot be accommodated on an existing vehicle (e.g., because the vehicle's lift does not meet the standards of part 38 of this title), even if that vehicle is accessible to other individuals with disabilities and their mobility wheelchairs. (iii) With respect to rail systems, an individual is eligible under this paragraph if the individual could use an accessible rail system, but— (A) There is not yet one accessible car per train on the system; or (B) Key
stations have not yet been made accessible. (3) Any individual with a disability who has a specific impairment-related condition which prevents such individual from traveling to a boarding location or from a disembarking location on such system. (i) Only a specific impairment-related condition which prevents the individual from traveling to a boarding location or from a disembarking location is a basis for eligibility under this paragraph. A condition which makes traveling to boarding location or from a disembarking location more difficult for a person with a specific impairment-related condition than for an individual who does not have the condition, but does not prevent the travel, is not a basis for eligibility under this paragraph. (ii) Architectural barriers not under the control of the public entity providing fixed route service and environmental barriers (e.g., distance, terrain, weather) do not, standing alone, form a basis for eligibility under this paragraph. The interaction of such barriers with an individual's specific impairment-related condition may form a basis for eligibility under this paragraph, if the effect is to prevent the individual from traveling to a boarding location or from a disembarking location. (f) Individuals accompanying an ADA paratransit eligible individual shall be provided service as follows: (1) One other individual accompanying the ADA paratransit eligible individual shall be provided service— (i) If the ADA paratransit eligible individual is traveling with a personal care attendant, the entity shall provide service to one other individual in addition to the attendant who is accompanying the eligible individual; (ii) A family member or friend is regarded as a person accompanying the eligible individual, and not as a personal care attendant, unless the family member or friend registered is acting in the capacity of a personal care attendant; (2) Additional individuals accompanying the ADA paratransit eligible individual shall be provided service, provided that space is available for them on the paratransit vehicle carrying the ADA paratransit eligible individual and that transportation of the additional individuals will not result in a denial of service to ADA paratransit eligible individuals; (3) In order to be considered as “accompanying” the eligible individual for purposes of this paragraph (f), the other individual(s) shall have the same origin and destination as the eligible individual.

Per Section § 37.125 ADA paratransit eligibility: Process. Each public entity required to provide complementary paratransit service by §37.121 of this part shall establish a process for determining ADA paratransit eligibility. (a) The process shall strictly limit ADA paratransit eligibility to individuals specified in §37.123 of this part. (b) All information about the process, materials necessary to apply for eligibility, and notices and determinations concerning eligibility shall be made available in accessible formats, upon request. (c) If, by a date 21 days following the submission of a complete application, the entity has not made a determination of eligibility, the applicant shall be treated as eligible and provided service until and unless the entity denies the application. (d) The entity's determination concerning eligibility shall be in writing. If the determination is that the individual is ineligible, the determination shall state the reasons for the finding. (e) The public entity shall provide documentation to each eligible individual stating that he or she is “ADA Paratransit Eligible.” The documentation shall include the name of the eligible individual, the name of the transit provider, the telephone number of the entity's paratransit coordinator, an expiration date for eligibility, and any conditions or limitations on the individual's eligibility including the use of a personal care attendant. (f) The entity may require recertification of the eligibility of ADA paratransit eligible individuals at reasonable intervals. (g) The entity shall establish an administrative appeal process through which individuals who are denied eligibility can obtain review of the denial. (1) The entity may require that an appeal be filed within 60 days of the denial of an individual's application. (2) The process shall include an opportunity to be heard and to present information and arguments, separation of functions (i.e., a decision by a person not involved with the initial decision to deny eligibility), and written notification of the decision, and the reasons for it. (3) The entity is not required to provide paratransit service to the individual pending the determination on appeal. However, if the entity has not made a decision within 30 days of the completion of the appeal process, the entity shall provide paratransit service from that time until and unless a decision to deny the appeal is issued. (h) The entity may establish an administrative process to suspend, for a reasonable period of time, the provision of complementary paratransit service to ADA eligible individuals who establish a pattern or practice of missing scheduled trips. (1) Trips missed by the individual for reasons beyond his or her control (including, but not limited to, trips which are missed due to operator error) shall not be a basis for determining that such a pattern or practice exists. (2) Before suspending service, the entity shall take the following steps: (i) Notify the individual in writing that the entity proposes to suspend service, citing with specificity the basis of the proposed suspension and setting forth the proposed sanction. (ii) Provide the individual an opportunity to be heard and to present information and arguments; (iii) Provide the individual with written notification of the decision and the reasons for it. (3) The appeals process of paragraph (g) of this section is available to an individual on whom sanctions have been imposed under this paragraph. The sanction is stayed pending the outcome of the appeal. (i) In applications for ADA paratransit eligibility, the entity may require the applicant to indicate whether or not he or she travels with a personal care attendant.

Per Section 37.127 Complementary paratransit service for visitors. (a) Each public entity required to provide complementary paratransit service under §37.121 of this part shall make the service available to visitors as provided
in this section. (b) For purposes of this section, a visitor is an individual with disabilities who does not reside in the
jurisdiction(s) served by the public entity or other entities with which the public entity provides coordinated
complementary paratransit service within a region. (c) Each public entity shall treat as eligible for its complementary
paratransit service all visitors who present documentation that they are ADA paratransit eligible, under the criteria of
§37.125 of this part, in the jurisdiction in which they reside. (d) With respect to visitors with disabilities who do not
present such documentation, the public entity may require the documentation of the individual's place of residence
and, if the individual's disability is not apparent, of his or her disability. The entity shall provide paratransit service
to individuals with disabilities who qualify as visitors under paragraph (b) of this section. The entity shall accept a
certification by such individuals that they are unable to use fixed route transit. (e) A public entity shall make the
service to a visitor required by this section available for any combination of 21 days during any 365-day period
beginning with the visitor's first use of the service during such 365-day period. In no case shall the public entity
require a visitor to apply for or receive eligibility certification from the public entity before receiving the service
required by this section.

Per Section § 37.129 Types of service. (a) Except as provided in this section, complementary paratransit service
for ADA paratransit eligible persons shall be origin-to-destination service. (b) Complementary paratransit service
for ADA paratransit eligible persons described in §37.123(e)(3) of this part also may be provided by paratransit
feeder service to and/or from an accessible fixed route. (c) Complementary paratransit service for ADA eligible persons described
in §37.123(e)(3) of this part also may be provided by on-call bus service or paratransit feeder service to an accessible fixed route, where such service enables the individual to use the
fixed route bus system for his or her trip.

Per Section § 37.131 Service criteria for complementary paratransit. The following service criteria apply to
complementary paratransit required by §37.121 of this part. (a) Service Area —(1) Bus. (i) The entity shall provide
complementary paratransit service to origins and destinations within corridors with a width of three-fourths of a mile	on each side of each fixed route. The corridor shall include an area with a three-fourths of a mile radius at the ends
of each fixed route. (ii) Within the core service area, the entity also shall provide service to small areas not inside
any of the corridors but which are surrounded by corridors. (iii) Outside the core service area, the entity may
designate corridors with widths from three-fourths of a mile up to one and one half miles on each side of a fixed
route, based on local circumstances. (iv) For purposes of this paragraph, the core service area is that area in which
corridors with a width of three-fourths of a mile on each side of each fixed route merge together such that, with few
and small exceptions, all origins and destinations within the area would be served. (2) Rail. (i) For rail systems, the
service area shall consist of a circle with a radius of three-fourths of a mile around each station. (ii) At end stations and other
stations in outlying areas, the entity may designate circles with radii of up to 11/2miles as part of its service area,
based on local circumstances. (3) Jurisdictional boundaries. Notwithstanding any other provision of this paragraph,
an entity is not required to provide paratransit service in an area outside the boundaries of the jurisdiction(s) in
which it operates, if the entity does not have legal authority to operate in that area. The entity shall take all
practicable steps to provide paratransit service to any part of its service area. (b) Response time. The entity shall
schedule and provide paratransit service to any ADA paratransit eligible person at any requested time on a particular
day in response to a request for service made the previous day. Reservations may be taken by reservation agents or
by mechanical means. (1) The entity shall make reservation service available during at least all normal business
hours of the entity's administrative offices, as well as during times, comparable to normal business hours, on a day
when the entity's offices are not open before a service day. (2) The entity may negotiate pickup times with the
individual, but the entity shall not require an ADA paratransit eligible individual to schedule a trip to begin more
than one hour before or after the individual's desired departure time. (3) The entity may use real-time scheduling in
providing complementary paratransit service. (4) The entity may permit advance reservations to be made up to 14
days in advance of an ADA paratransit eligible individual's desired trips. When an entity proposes to change its
reservations system, it shall comply with the public participation requirements equivalent to those of §37.137 (b)
and (c). (c) Fares. The fare for a trip charged to an ADA paratransit eligible user of the complementary paratransit
service shall not exceed twice the fare that would be charged to an individual paying full fare (i.e., without regard
to discounts) for a trip of similar length, at a similar time of day, on the entity's fixed route system. (1) In calculating
the full fare that would be paid by an individual using the fixed route system, the entity may include transfer and
premium charges applicable to a trip of similar length, at a similar time of day, on the fixed route system. (2) The
fares for individuals accompanying ADA paratransit eligible individuals, who are provided service under §37.123
(f) of this part, shall be the same as for the ADA paratransit eligible individuals they are accompanying. (3) A
personal care attendant shall not be charged for complementary paratransit service. (4) The entity may charge a fare
higher than otherwise permitted by this paragraph to a social service agency or other organization for agency trips (i.e., trips guaranteed to the organization). (d) Trip purpose restrictions. The entity shall not impose restrictions or
priorities based on trip purpose. (e) Hours and days of service. The complementary paratransit service shall be
Per Section § 37.133 Subscription service. (a) This part does not prohibit the use of subscription service by public entities as part of a complementary paratransit system, subject to the limitations in this section. (b) Subscription service may not absorb more than fifty percent of the number of trips available at a given time of day, unless there is non-subscription capacity. (c) Notwithstanding any other provision of this part, the entity may establish waiting lists or other capacity constraints and trip purpose restrictions or priorities for participation in the subscription service only.

Per Section § 37.135 Submission of paratransit plan. (a) General. Each public entity operating fixed route transportation service, which is required by §37.121 to provide complementary paratransit service, shall develop a paratransit plan. (b) Initial submission. Except as provided in §37.141 of this part, each entity shall submit its initial plan for compliance with the complementary paratransit service provision by January 26, 1992, to the appropriate location identified in paragraph (f) of this section. (c) Annual Updates. Except as provided in this paragraph, each entity shall submit an annual update to its plan on January 26 of each succeeding year. (1) If an entity has met and is continuing to meet all requirements for complementary paratransit in §§37.121–37.133 of this part, the entity may submit to FTA an annual certification of continued compliance in lieu of a plan update. Entities that have submitted a joint plan under §37.141 may submit a joint certification under this paragraph. The requirements of §§37.137 (a) and (b), 37.138 and 37.139 do not apply when a certification is submitted under this paragraph. (2) In the event of any change in circumstances that results in an entity which has submitted a certification of continued compliance falling short of compliance with §§37.121–37.133, the entity shall immediately notify FTA in writing of the problem. In this case, the entity shall also file a plan update meeting the requirements of §§37.137–37.139 of this part on the next following January 26 and in each succeeding year until the entity returns to full compliance. (3) An entity that has demonstrated undue financial burden to the FTA shall file a plan update meeting the requirements of §§37.137–37.139 of this part on each January 26 until full compliance with §§37.121–37.133 is attained. (4) If FTA reasonably believes that an entity may not be fully complying with all service criteria, FTA may require the entity to provide an annual update to its plan. (d) Phase-in of implementation. Each plan shall provide full compliance by no later than January 26, 1997, unless the entity has received a waiver based on undue financial burden. If the date for full compliance specified in the plan is after January 26, 1993, the plan shall include milestones, providing for measured, proportional progress toward full compliance. (e) Plan implementation. Each entity shall begin implementation of its plan on January 26, 1992. (f) Submission locations. An entity shall submit its plan to one of the following offices, as appropriate: (1) The individual state administering agency, if it is— (i) A section 18 recipient; (ii) A small urbanized area recipient of section 9 funds administered by the State; (iii) A participant in a coordinated plan, in which all of the participating entities are eligible to submit their plans to the State; or (2) The FTA Regional Office (as listed in appendix B to this part) for all other entities required to submit a paratransit plan. This includes an FTA recipient under section 9 of the FT Act; entities submitting a joint plan (unless they meet the requirements of paragraph (f)(1)(iii) of this section), and a public entity not an FT Act recipient.

Per Section § 37.137 Paratransit plan development. (a) Survey of existing services. Each submitting entity shall survey the area to be covered by the plan to identify any person or entity (public or private) which provides a paratransit or other special transportation service for ADA paratransit eligible individuals in the service area to which the plan applies. (b) Public participation. Each submitting entity shall ensure public participation in the development of its paratransit plan, including at least the following: (1) Outreach. Each submitting entity shall solicit participation in the development of its plan by the widest range of persons anticipated to use its paratransit service. Each entity shall develop contacts, mailing lists and other appropriate means for notification of opportunities to participate in the development of the paratransit plan; (2) Consultation with individuals with disabilities. Each entity shall contact individuals with disabilities and groups representing them in the community.
Consultation shall begin at an early stage in the plan development and should involve persons with disabilities in all phases of plan development. All documents and other information concerning the planning procedure and the provision of service shall be available, upon request, to members of the public, except where disclosure would be an unwarranted invasion of personal privacy; (3) Opportunity for public comment. The submitting entity shall make its plan available for review before the plan is finalized. In making the plan available for public review, the entity shall ensure that the plan is available upon request in accessible formats; (4) Public hearing. The entity shall sponsor at a minimum one public hearing and shall provide adequate notice of the hearing, including advertisement in appropriate media, such as newspapers of general and special interest circulation and radio announcements; and (5) Special requirements. If the entity intends to phase-in its paratransit service over a multi-year period, or request a waiver based on undue financial burden, the public hearing shall afford the opportunity for interested citizens to express their views concerning the phase-in, the request, and which service criteria may be delayed in implementation. (c) Ongoing requirement. The entity shall create an ongoing mechanism for the participation of individuals with disabilities in the continued development and assessment of services to persons with disabilities. This includes, but is not limited to, the development of the initial plan, any request for an undue financial burden waiver, and each annual submission.

Per Section § 37.139 Plan contents. Each plan shall contain the following information: (a) Identification of the entity or entities submitting the plan, specifying for each—(1) Name and address; and (2) Contact person for the plan, with telephone number and facsimile telephone number (FAX), if applicable. (b) A description of the fixed route system as of January 26, 1992 (or subsequent year for annual updates), including—(1) A description of the service area, route structure, days and hours of service, fare structure, and population served. This includes maps and tables, if appropriate; (2) The total number of vehicles (bus, van, or rail) operated in fixed route service (including contracted service), and percentage of accessible vehicles and percentage of routes accessible to and usable by persons with disabilities, including persons who use wheelchairs; (3) Any other information about the fixed route service that is relevant to establishing the basis for comparability of fixed route and paratransit service. (c) A description of existing paratransit services, including: (1) An inventory of service provided by the public entity submitting the plan; (2) An inventory of service provided by other agencies or organizations, which may in whole or in part be used to meet the requirement for complementary paratransit service; and (3) A description of the available paratransit services in paragraphs (c)(2) and (c)(3) of this section as they relate to the service criteria described in §37.131 of this part of service area, response time, fares, restrictions on trip purpose, hours and days of service, and capacity constraints; and to the requirements of ADA paratransit eligibility. (d) A description of the plan to provide comparable paratransit, including: (1) An estimate of demand for comparable paratransit service by ADA eligible individuals and a brief description of the demand estimation methodology used; (2) An analysis of differences between the paratransit service currently provided and what is required under this part by the entity(ies) submitting the plan and other entities, as described in paragraph (c) of this section; (3) A brief description of planned modifications to existing paratransit and fixed route service and the new paratransit service planned to comply with the ADA paratransit service criteria; (4) A description of the planned comparable paratransit service as it relates to each of the service criteria described in §37.131 of this part—service area, absence of restrictions or priorities based on trip purpose, response time, fares, hours and days of service, and lack of capacity constraints. If the paratransit plan is to be phased in, this paragraph shall be coordinated with the information being provided in paragraphs (d)(5) and (d)(6) of this paragraph; (5) A timetable for implementing comparable paratransit service, with a specific date indicating when the planned service will be completely operational. In no case may full implementation be completed later than January 26, 1997. The plan shall include milestones for implementing phases of the plan, with progress that can be objectively measured yearly; (6) A budget for comparable paratransit service, including capital and operating expenditures over five years. (e) A description of the process used to certify individuals with disabilities as ADA paratransit eligible. At a minimum, this must include—(1) A description of the application and certification process, including—(i) The availability of information about the process and application materials inaccessible formats; (ii) The process for determining eligibility according to the provisions of §§37.123–37.125 of this part and notifying individuals of the determination made; (iii) The entity’s system and timetable for processing applications and allowing presumptive eligibility; and (iv) The documentation given to eligible individuals. (2) A description of the administrative appeals process for individuals denied eligibility. (3) A policy for visitors, consistent with §37.127 of this part. (f) Description of the public participation process including—(1) Notice given of opportunity for public comment, the date(s) of completed public hearing(s), and availability of the plan in accessible formats, outreach efforts, and consultation with persons with disabilities. (2) A summary of significant issues raised during the public comment period, along with a response to significant comments and discussion of how the issues were resolved. (g) Efforts to coordinate service with other entities subject to the complementary paratransit requirements of this part which have overlapping or contiguous service areas or jurisdictions. (h) The following endorsements or certifications: (1) A resolution adopted by the board of the entity authorizing the plan, as submitted. If more than one entity is submitting the plan there must be an authorizing resolution from each board. If
the entity does not function with a board, a statement shall be submitted by the entity's chief executive; (2) In urbanized areas, certification by the Metropolitan Planning Organization (MPO) that it has reviewed the plan and that the plan is in conformance with the transportation plan developed under the Federal Transit/Federal Highway Administration joint planning regulation (49 CFR part 613 and 23 CFR part 450). In a service area which is covered by more than one MPO, each applicable MPO shall certify conformity of the entity's plan. The provisions of this paragraph do not apply to non-FTA recipients; (3) A certification that the survey of existing paratransit service was conducted as required in §37.137(a) of this part; (4) To the extent service provided by other entities is included in the entity's plan for comparable paratransit service, the entity must certify that: (i) ADA paratransit eligible individuals have access to the service; (ii) The service is provided in the manner represented; and (iii) Efforts will be made to coordinate the provision of paratransit service by other providers. (i) A request for a waiver based on undue financial burden, if applicable. The waiver request should include information sufficient for FTA to consider the factors in §37.155 of this part. If a request for an undue financial burden waiver is made, the plan must include a description of additional paratransit services that would be provided to achieve full compliance with the requirement for comparable paratransit in the event the waiver is not granted, and the timetable for the implementation of these additional services. (j) Annual plan updates. (1) The annual plan updates submitted January 26, 1993, and annually thereafter, shall include information necessary to update the information requirements of this section. Information submitted annually must include all significant changes and revisions to the timetable for implementation; (2) If the paratransit service is being phased in over more than one year, the entity must demonstrate that the milestones identified in the current paratransit plans have been achieved. If the milestones have not been achieved, the plan must explain any slippage and what actions are being taken to compensate for the slippage. (3) The annual plan must describe specifically the means used to comply with the public participation requirements, as described in §37.137 of this part.

Per Section § 37.143  Paratransit plan implementation. (a) Each entity shall begin implementation of its complementary paratransit plan, pending notice from FTA. The implementation of the plan shall be consistent with the terms of the plan, including any specified phase-in period. (b) If the plan contains a request for a waiver based on undue financial burden, the entity shall begin implementation of its plan, pending a determination on its waiver request.

Per Section § 37.145  State comment on plans. Each state required to receive plans under §37.135 of this part shall: (a) Ensure that all applicable section 18 and section 9 recipients have submitted plans. (b) Certify to FTA that all plans have been received. (c) Forward the required certification with comments on each plan to FTA. The plans, with comments, shall be submitted to FTA no later than April 1, 1992, for the first year and April 1 annually thereafter. (d) The State shall develop comments to on each plan, responding to the following points: (1) Was the plan filed on time? (2) Does the plan appear reasonable? (3) Are there circumstances that bear on the ability of the grantee to carry out the plan as represented? If yes, please elaborate. (4) Is the plan consistent with statewide planning activities? (5) Are the necessary anticipated financial and capital resources identified in the plan accurately estimated?

Per Section § 37.149  Disapproved plans. (a) If a plan is disapproved in whole or in part, NYSDOT will specify which provisions are disapproved. Each entity shall amend its plan consistent with this information and resubmit the plan to the appropriate FTA Regional Office within 90 days of receipt of the disapproval letter. (b) Each entity revising its plan shall continue to comply with the public participation requirements applicable to the initial development of the plan (set out in §37.137 of this part).

PART II - DEMAND RESPONSE SERVICES (Route Deviation, Point Deviation & Dial-A-Ride)

Demand response services are an alternative to the subscription services called for under complimentary paratransit, and is an acceptable method of meeting ADA requirements. Should this be the alternative of choice, services are required to be open to any individual without discrimination, and must be offered in conjunction with existing public services, see definitions of types of demand response services below.

Route Deviation:
Route Deviation is a type of transit service that operates as conventional fixed route bus service along a fixed alignment or path with scheduled time points at each terminal point and key intermediate locations. Route deviation service is different than conventional fixed route bus service in that the bus may deviate from the route alignment to serve destinations within a prescribed distance (e.g., ¾ mile) of the route. Following an off route deviation, the bus must return to the point on the route it left. Service must be available during regularly scheduled times and days of
all advertised public transit services. Requests must be generated no later then close of business the day prior to the ride.

*Point Deviation:*  
Point Deviation like route deviation operates along a conventional route or path with scheduled time frames, but differs in that its fixed service area and ultimate route is defined by pick-up points. The noticeable change when utilizing point deviation is bus is not leaving an established route therefore, doesn’t have to return to the point on the route it left. Service must be available during regularly schedules times and days of all advertised public transit services. Requests must be generated no later then close of business the day prior to the ride.

*Dial-A-Ride:*  
Dial-A-Ride (sometimes referred to simply as Demand Response) is comprised of vans or buses operating in response to calls from passengers or their agents to the transit operator, who then dispatches a vehicle to pick up the passengers and transport them to their destinations. Requests must be generated no later then close of business the day prior to the ride.

**PART III – OTHER SERVICE REQUIREMENTS:**

1. Maintenance of Accessible features: Equipment must be maintained in working order at all times, or provide for an alternative option;
2. An alternative option plan must be in place to accommodate an ADA individual that has been stranded due to a break down or some other unforeseen incident. This plan should be able to respond within a half hour of the planned ride.
3. All public entities must provide a system for lift securement;
4. Fixed route systems must announce stops;
5. Vehicle identification system for vehicles utilized on more than one route;
6. Allow for service animals;
7. Make service information available and in accessible formats;
8. Offer lift deployment at any designated stop;
9. Cannot deny service to persons with respirators;
10. Allow for adequate time for boarding and disembarking;
11. Offer training for use and safe operations.

For further information please see  
PART 37--TRANSPORTATION SERVICES FOR INDIVIDUALS WITH DISABILITIES (ADA) Website at:  
http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title49/49cfr37_main_02.tpl