

**Chatham Area Transit (CAT)  
Savannah, GA  
ADA Complementary Paratransit Service  
Compliance Review**

**December 7–10, 2009  
Summary of Observations**

**Prepared for  
Federal Transit Administration  
Office of Civil Rights  
Washington, DC**

**Prepared by  
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with  
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**Final Report: November 7, 2012**

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Attachment A	CAT Response to Draft Report
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Attachment C	Review Schedule
Attachment D	FTA Letter Dated August 15, 2008 Requesting Updates to CAT Paratransit Plan
Attachment E	Excerpts from Draft Paratransit Plan
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# 1 Purpose of the Review

Public entities that operate fixed route transportation services for the general public are required by the U.S. Department of Transportation (DOT) regulations implementing the Americans with Disabilities Act of 1990 (ADA) to provide ADA complementary paratransit service for persons who, because of their disability, are unable to use the fixed route system. These regulations (49 CFR Parts 27, 37, and 38) include six service criteria that must be met by ADA complementary paratransit service programs. Section 37.135(d) of the regulations requires that ADA complementary paratransit services meet these criteria by January 26, 1997.

The Federal Transit Administration (FTA) is responsible for ensuring compliance with the ADA and the DOT regulations implementing the ADA. As part of its oversight efforts, FTA, through its Office of Civil Rights, conducts periodic reviews of fixed route transit and ADA complementary paratransit services operated by Federal grantees.

The purpose of these reviews is to assist the transit agency and FTA in determining whether capacity constraints exist in ADA complementary paratransit services. The reviews examine policies and standards related to service capacity constraints such as those measured by on-time performance, on-board travel time, telephone hold times, trip denials, and any other trip-limiting factors. The reviews consider whether there are patterns or practices of a substantial number of trip limits, trip denials, early or late pickups or arrivals after desired arrival or appointment times, long trips, or long telephone hold times, as defined by the transit system's established standards or typical practices if standards do not exist. The examination of patterns or practices includes looking at service statistics and basic service records and operating documents, and observing aspects of service delivery and operations including dispatch, reservations and scheduling to determine whether records and documents appear to reflect true levels of service delivery. Comments are solicited from local disability organizations and customers. Technical assistance is provided to assist the transit agency in monitoring service for capacity constraints.

FTA conducted a review of Teleride, the ADA complementary paratransit service provided by Chatham Area Transit (CAT) of Savannah, Georgia from December 7–10, 2009. Planners Collaborative, Inc. and TranSystems Corporation, both located in Boston, Massachusetts, conducted the review for FTA. The review focused primarily on compliance of CAT's ADA complementary paratransit service with the requirement in the DOT ADA regulations that this service be operated without capacity constraints (49 CFR § 37.131(f)).

Sections 37.123 through 37.127 of the DOT ADA regulations require that a process be established for determining who is ADA paratransit eligible and that eligibility determinations are made consistent with regulatory criteria. Section 37.129(a) requires that ADA complementary paratransit be origin-to-destination service. Section 37.131(a) requires that ADA complementary paratransit service be provided between origins and destinations within 3/4 of a mile of fixed bus routes and between points within a 3/4-mile radius of two different rail stations. Section 37.131(b) requires that next-day service be provided. Section 37.131(c) limits ADA complementary paratransit fares to no more than twice the full fixed route fare for a comparable trip. Section 37.131(d) requires that ADA complementary paratransit service be provided without restrictions or priorities based on trip purpose. Section 37.131(e) requires that ADA complementary paratransit service be provided during all days and hours that fixed route service

is provided. Section 37.139(g) requires that complementary paratransit plans address efforts to coordinate with other public entities that have contiguous or overlapping ADA complementary paratransit service areas.

The review also examined CAT's ADA complementary paratransit service with respect to the requirements related to eligibility determinations, rider assistance policies, and ADA complementary paratransit service criteria..

This report summarizes the observations and findings of the on-site review of CAT's ADA complementary paratransit service. Chapter 2 explains the approach and methodology used to conduct the review. Chapter 3 then describes key features of transit services provided by CAT - fixed route bus and ADA complementary paratransit service. Chapter 4 p summarizes the findings that are also presented at the end of the remaining chapters. Chapter 5 includes observations and findings related to rider assistance policies, service area, fares, trip purposes, days and hours of service, and coordination with other public transit entities. Observations and findings related to the eligibility determination process are presented in Chapter 6. Observations and findings related to the capacity constraint prohibition, as well as additional observations on response time, are then presented in Chapters 7-10 on telephone service, reservations, service performance and resources. Recommendations for addressing some of the findings are also provided.

CAT was provided with a draft copy of the report for review and response. A copy of the correspondence received from CAT on September 21, 2012, documenting its response to the draft report, is included as Attachment A.

## 2 Overview

This review focused primarily on compliance with the DOT ADA requirement that ADA complementary paratransit be operated without capacity constraints. The regulations identify several possible types of capacity constraints. These include waiting lists for trips, limits on the number of trips provided, and patterns or practices that result in a significant number of trip denials missed trips, untimely pickups, or excessively long trips. Capacity constraints also include any operating policies or practices significantly limit the amount of service to persons who are eligible for ADA complementary paratransit.

To assess each of these potential types of capacity constraints, the review focused on observations and findings regarding:

1. Trip denials and wait-listing of trips
2. Trip caps
3. On-time performance
4. Travel times

This review also includes observations and findings related to five other sets of policies and practices that could affect access to ADA complementary paratransit service:

5. Rider assistance policies
6. Service area, response time, fares, trip purposes, and service times
7. Efforts to coordinate with other ADA complementary paratransit services in the area
8. ADA complementary paratransit service eligibility process
9. Telephone capacity

The review also addresses scheduling, dispatching, operation of service and an analysis of resources as a potential contributor to capacity constraints.

### 2.1 Pre-Review

FTA sent a notification letter to CAT's Executive Director, Mr. Charles Odimgbe, on October 29, 2009, requesting dates for the review and information needed by the review team that should be sent in advance. The notification letter is provided in Attachment B.

Based on the information received from CAT, the review team examined key service information prior to the visit. This information included:

A description of how CAT's ADA complementary paratransit service, known as Teleride, is structured

Public information describing Teleride

CAT's standards for on-time performance, trip denials, travel times, and telephone service

As requested by FTA, CAT made additional information available during the visit. This information included:

Copies of completed driver manifests for recent months

36 months of service data, including the number of trips requested

Records of recent consumer comments and complaints related to trip denials, on-time performance, travel time, and telephone access

Procedures for passenger service reports (reporting complaints and other incidents)

A listing of vehicles in the Teleride fleet

A listing of paratransit employees and their starting dates

Capital and operating budgets and cost data

The Chatham Area Transit Authority Paratransit Plan Update (Draft), Revised February 27, 2008.

In addition, the review team contacted several riders, disability advocates, and disability agency staff to get comments on their experiences with CAT's Teleride.

## 2.2 On-Site Review

An on-site review of the ADA complementary paratransit service took place from December 7–10, 2009. The review began with an opening conference, held at 9 a.m. on Monday December 7, 2009, at the offices of CAT's Teleride contractor<sup>1</sup> (First Transit) at 2025 Louisville Road, Savannah. The following people attended the meeting:

Charles Odingbe	Then CAT Executive Director
James Aberson	Advisory Committee Accessible Transportation (ACAT)
Enoch Dumas	CAT Director of Transportation
David Flanders	Then CAT Director of Maintenance
Sheila Michael	Then CAT Director of Human Resources
Beth Thulin	Then CAT Director of Finance
Mike Crittenden	First Transit (Teleride contractor at the time of the review)
Tanya Hawkins	First Transit (Teleride contractor at the time of the review)
Theodis Jackson	Veolia Transportation (Incoming Teleride contractor)
Susan Clark	FTA Office of Civil Rights (by phone)
David Chia	Planners Collaborative, Review Team Leader
Jim Purdy	Planners Collaborative
Patti Monahan	TranSystems

Ms. Clark stated that FTA sees the compliance reviews not just as a way to assess CAT's operation of services, but as an opportunity to determine if CAT has the resources and assistance it needs. She mentioned that preliminary findings and an opportunity to respond would be provided at a closing meeting on Thursday December 10, 2009. David Chia of Planners Collaborative then presented the schedule for the on-site review, including the parts of the operation that would be observed each day. A copy of the review schedule is provided in Attachment C.

Following the opening conference, the review team met with CAT staff to discuss the information sent in advance as well as the information and material that was available on site. CAT policies and procedures were discussed.

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<sup>1</sup> At the time of the on-site review, CAT was terminating its contract with First Transit and was initiating a new contract with Veolia Transportation.

For the remainder of the day on Monday, the review team discussed CAT’s process to record and respond to consumer comments and concerns and requested that from recent months. The eligibility process was discussed with CAT staff, and eligibility files were gathered for examination. In the afternoon, the review team observed reservations calls and interviewed one driver; due to union-related concerns, the review team was unable to interview additional drivers.

On Tuesday, the review team continued its observations of the trip reservations and scheduling process and dispatching. The review team also met with the reservationist/scheduler to discuss procedures used to develop the final driver manifest. The review team also began examining completed driver manifests as a part of on-time performance verification. Review of eligibility files and interviews with CAT’s Teleride staff on the eligibility determination process continued.

On Wednesday, the review team continued observations of reservations and dispatching. The team also continued its examination of on-time performance, on-board travel times, and eligibility-determination records. The review team examined long paratransit trips and compared on-board travel times with those on the fixed route service. CAT’s Teleride staff was interviewed regarding resources, budgeting, and staffing. The scheduler/dispatcher was interviewed regarding the scheduling process and dispatching.

On Thursday, the review team prepared for the exit conference.

The exit conference took place at 2 p.m. at the CAT office, 900 East Gwinnett Street, Savannah.

Attending the conference were:

Charles Odingbe	Then CAT Executive Director
James Aberson	Advisory Committee Accessible Transportation (ACAT)
Enoch Dumas	CAT Director of Transportation
Sheila Michael	Then CAT Director of Human Resources
Beth Thulin	Then CAT Director of Finance
Mike Crittenden	First Transit (Teleride contractor at the time of the review)
Tanya Hawkins	First Transit (Teleride contractor at the time of the review)
Theodis Jackson	Veolia Transportation
Susan Clark	FTA Office of Civil Rights (by phone)
David Chia	Planners Collaborative, Review Team Leader
Jim Purdy	Planners Collaborative
Patti Monahan	TranSystems

Ms. Clark reviewed the goals of the review—to assess CAT’s operation of Teleride service and to provide technical assistance on ADA complementary paratransit services. She noted that a draft report would be provided to CAT for review and comment. Once the draft was transmitted to CAT, the report would be subject to release in response to Freedom of Information Act (FOIA) requests. CAT’s comments on the draft would be incorporated into the final report, and the final report would be posted on FTA’s website.

Ms. Clark advised that CAT will be required to respond to the findings presented in the draft report. Recommendations, which do not require a response, will be offered as suggestions for addressing the findings and CAT may consider the recommendations in developing responses to the findings.

Those findings that require corrective action will be presented in a reporting table for CAT to use in reporting proposed corrective actions and a timetable for making required changes. CAT will



then prepare follow up progress reports for FTA review until FTA releases CAT from the requirement to submit progress reports.

Ms. Clark encouraged CAT to begin addressing findings discussed during the on-site review while it awaited the draft and final reports. She also invited CAT staff to contact FTA or the review team for technical assistance over the next several months if they decided to move ahead with corrective actions.

The review team members also thanked CAT and Teleride staff for the cooperation they had provided throughout the week. They then presented initial findings in each of the following areas:

Service design and service criteria : (rider assistance policies, service area, response time, fares, trip purposes, days and hours, and coordination

Eligibility determinations

Telephone access

Handling of trip requests

On-time performance

Trip duration

Resources (vehicles, personnel, and financial planning and budgeting )

## 3 Background

The Chatham Area Transit Authority (CAT) was established in 1986 to replace the Savannah Transit Authority. The CAT board established the Teleride demand response van service for citizens with disabilities in 1987. In 1994, CAT's service area expanded to serve approximately 90 percent of Chatham County residents living in the transit district. That same year, CAT introduced its electric-powered CAT Shuttle to serve Savannah's historic downtown.

In response to inquiries from FTA staff in January and February 2011 and September 2012, CAT supplied the following additional information:

The CAT Board approved a Veolia Transportation management agreement effective March 1, 2009. This agreement stipulated that there would be an initial period for Interim Management Services for a period of 180 days following which the Delegated Management portion of the agreement began. Management of all transit system functional responsibilities including operations, maintenance and scheduling transfer from First Transit to Chatham Area Transit Authority on January 1, 2010. Under the delegated management agreement, Veolia's responsibilities include:

- CAT Board Support
- Development of (and submittal to the CAT Board for approval) an Annual Plan, consisting of Scope of Services and Activities for the coming year, Annual Budget, and Capital Improvement Program Update
- Management of all Transit System functional responsibilities
- Transit System operation and maintenance
- Short and long-term service planning
- Personnel recruitment, employment, development and training, management and oversight
- Financial planning (including forecasts, tracking, grants management and fares)
- Administrative services (fiscal, personnel, risk management, management information systems, purchasing and record keeping)
- Customer relations
- Marketing
- Preparation of schedules and routing
- Administration of service contracts (if any)
- Conduct requisite employee/labor relations activities

### 3.1 Description of Fixed Route Service

In FY 2009 CAT provided 3,277,504 passenger trips to a population of 232,000 residents spread over a service area of 438 square miles. During that year, drivers logged 200,794 revenue hours, while a fleet of 56 buses covered 2,509,438 miles. Fixed route service included 18 routes as well

as three free downtown shuttles that operate during weekday peak hours. All routes operated during the week, with limited service on weekends. According to CAT’s website, all buses are accessible and marked with the international symbol of accessibility.

## **3.2 Description of ADA Complementary Paratransit Service**

According to CAT’s paratransit website, Teleride is a door-to-door transportation service available to eligible disabled persons in Chatham County, including persons who are unable, due to a permanent or temporary physical or mental disability, to use the fixed route public transportation system.

## **3.3 CAT’s Complementary Paratransit Performance Policies and Standards**

The following summarizes the paratransit performance policies and standards in place at CAT at the time of the review. Chapters 5, 7, 8 and 9 present this information in more detail, including findings and recommendations.

### **Trip Denial Standard**

At the time of the review, CAT’s contract for Teleride service did not contain any goals or expectations regarding operating Teleride service without trip denials.

Based on review team observations, CAT did not appear to record trip denials, what it called “turndowns”, and “standbys.” Turndowns and standbys were additional types of trip denials that should have been counted as denials.

At the time of the review, CAT defined a “turndown” as a trip request for which the reservationist did not offer any trip. At the time of the review, CAT did not include in this count trip offers that were greater than 60 minutes from the requested time.

Based on review team observations, a “standby” was a type of waiting list. A standby occurred when a reservationist told a persistent caller that there was no trip available to meet the caller’s request, but that the trip might be available as Teleride staff worked on the schedule.

These three types of denials and the requirement to eliminate them are discussed in greater detail in Chapter 8.

### **Missed Trip Standard**

At the time of the review, CAT did not have a definition of a trip missed by Teleride.

### **On-Time Performance Standards**

At the time of the review CAT used a pickup window of 0/+30 and a drop-off window of -30/0. It set a 90 percent on-time performance standard and assessed that performance in weekly analysis reports.

## **On-Board Travel Time Standard**

At the time of the review, CAT did not have established standards for on-board travel time. CAT's written response to FTA on this item was that Teleride was required to drop off customers within 30 minutes before a scheduled appointment.

## **Telephone Service Standard**

At the time of the review, CAT did not have established standards in its paratransit contract for handling phone calls.

### **3.4 Consumer Comments**

#### **FTA Complaints and Recent Service Issues**

As of the date of the on-site review, FTA had one complaint on file against CAT related to Teleride service. The complaint described an incident in May 2008 in which a rider that used a wheelchair and the rider's personal care attendant (PCA) were kept waiting for 2.5 hours to return from a shopping trip. The rider reported having made repeated calls to the Teleride dispatcher. When the van arrived, the rider reported that the driver exhibited outrageous behavior, first refusing to board the rider and PCA, then boarding them in an extremely rude manner and playing music at a very high volume even after they asked him to lower the volume. The rider's sister made the complaint directly to FTA on the rider's behalf.

#### **Consumer Comments**

Prior to and during the on-site review, the review team contacted two Teleride customers, eight staff members from disability and human service agencies and the Chatham County ADA Coordinator. Reviewers asked each interviewee about various aspects of the service including the eligibility-determination process, telephone hold times, trip denials and getting trips scheduled at desired times, on-time performance, on-board travel times, driver assistance and professionalism, and vehicle condition. .

Review team members also asked for any other comments on the service not covered by the specific questions. Please refer to Chapters 5–9 for summaries of the comments related to the service issues covered in each chapter.

Chapter 5 presents a discussion of CAT's procedures for receiving and responding to comments and complaints.

### **3.5 Requirement to Update CAT Paratransit Plan**

On August 15, 2008, FTA sent a letter to CAT regarding compliance issues with ADA complementary paratransit service criteria (see Attachment D). The letter required CAT to annually update its Paratransit Plan, and to file the first copy of the plan update by January 26, 2009. CAT provided the review team with a copy of its draft Paratransit Plan dated February 27, 2008 (see Attachment E for excerpts of the Plan). Table 3.1 summarizes the issues contained in FTA's letter and a status update for each item as of the review team's site review. The table also

includes those items contained in the draft Plan that CAT had planned to have in place later in 2009.

Table 3.1 – Chatham Area Transit Paratransit Plan, Summary of Issues

Topic	Changes Made	Report Chapters
Weekend reservations do not correspond to office hours	At the time of this review weekend reservations hours extended to cover office hours	7-8
<i>Handbook</i> statement that not all reservations could be accommodated	As of the date of the review, the <i>Handbook</i> no longer includes this statement	8–10
Reservations required 24 hours in advance	As of the date of the review, trips were accepted until 4 p.m. one day before.	7
Penalty charged for no-shows	Reduced from \$5 to \$1.80	6
Suspension for three no-shows in 12 months	Not enforced at the time of the review. In response to inquiries from FTA staff in January and February 2011 concerning policy revisions scheduled to be implemented during the first quarter of 2011, the Teleride Manager stated that CAT was considering enforcing the suspension policy.	6
Six-month suspension for no-shows	At the time of the review, the <i>Handbook</i> did not specify any time frame for suspensions. The policy was not enforced at the time for the review.	6
No written eligibility determination letter	Sample letter included as appendix to draft Paratransit Plan but not in use at time of site review	6

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No Rider ID Card	Not used at the time of the review. Applicant could request an ID card when completing application.	6
No written eligibility letter for denials.		6

## 4 Summary of Findings

This chapter summarizes the findings made as a result of the review. Findings denote deficiencies in ADA compliance or topics on which FTA requires additional reporting to ensure an ADA compliance issue does not exist. Findings shall always require corrective action and/or additional reporting. Recommendations are statements detailing suggested changes to policy or practice to ensure best practices under the ADA. The basis for findings and recommendations are detailed in Chapters 5 through 10.

### 4.1 ADA Complementary Paratransit Service Criteria

1. At the time of the review, CAT forwarded all paratransit complaints to its Teleride contractor and exercised minimal oversight over the contractor's handling of complaints. As the fixed route provider, CAT must establish policies and procedures to receive complaints from riders, resolve them promptly and equitably and to keep copies of complaints on file for one year and maintain a summary of complaints on file for five years to meet the requirements under §§27.13(b) and 27.121(b) of the DOT ADA regulations. The complaint book in use at the time of the review, listing paratransit complaints only, did not meet the requirements. The book would meet the requirement for a summary if it were maintained for five years and included fixed route and all other complaints.
2. At the time of the review, the fare for Teleride was \$1.80, less than twice the base fixed route fare. However, while CAT's Route 1 Downtown Shuttle had a free fare, a fare was charged for Teleride trips that had an origin and destination within  $\frac{3}{4}$  of a mile of the free Route 1 Downtown Shuttle, which does not meet the requirements of §37.131(c) of the DOT ADA regulations for ADA paratransit fares. To meet the requirements, CAT must either refrain from charging a fare for any Teleride trip that has both its origin and destination within  $\frac{3}{4}$ -mile of the Route 1 Downtown Shuttle, or develop a methodology for determining when a comparable trip on the fixed-route system would most likely be taken on the free Route 1 Downtown Shuttle instead of the full-fare fixed route system.
3. At the time of the review, as shown in Table 5.1, the published hours of service for Teleride did not match the fixed route service hours. To meet the requirements of the DOT ADA regulations under §37.131(e) for days and hours of service, CAT must provide Teleride service during the same days and hours as CAT's fixed route service. CAT must ensure that eligible riders are made aware of the changes, direct reservationists to accept these earlier and later trip requests, direct Teleride to adjust the scheduling software to recognize these trips as eligible trips, and ensure that Teleride has vehicles and drivers available to provide these trips. As part of CAT's response to this finding, please provide a copy of the directive(s) and revised public information to FTA.



## 4.2 ADA Complementary Paratransit Eligibility Process

1. At the time of the review, CAT’s application for Teleride service was available in Braille, if requested, and the large print version was available for download from the CAT website, but not in other accessible formats. Section 37.125(b) of the DOT ADA regulations states that all information related to eligibility and the eligibility determination process must be made available in accessible formats upon request. Since not all persons who cannot use print can read Braille, and not everyone can be expected to have access to a computer or Internet connection, CAT must make the information available in other accessible formats that applicants can use such as large print, audiotope, or text documents on CD or via e-mail. Public information must be revised to inform applicants and prospective applicants of the availability of materials in alternative accessible formats. Provide a copy of the revised public information to FTA.
2. At the time of the review, CAT did not provide any information to applicants regarding the right to presumptive eligibility. CAT inconsistently recorded receipt dates of complete applications on the application cover sheets, preventing CAT from accurately tracking application processing time. To meet the presumptive eligibility requirements of §37.125(c) of the DOT ADA regulations, CAT must revise its policies, procedures and public information to inform applicants and prospective applicants that if CAT has not made an eligibility determination within 21 calendar days from receipt of a complete application, presumptive eligibility will be granted and service will be provided on the 22<sup>nd</sup> day until and unless the application is denied. The only public information that mentioned presumptive eligibility, the *Handbook*, was only sent to applicants *after* they had been determined to be eligible. Presumptive eligibility could be described on the application form itself or in a cover letter accompanying the application. Developing and maintaining a system for tracking milestones in the application process, including the date that CAT receives a complete application, the date that the determination is made and the date that the determination letter is mailed is essential for granting presumptive eligibility as required.
3. At the time of the review, CAT did not notify applicants in writing of their eligibility or ineligibility for service; instead, it notified applicants by telephone. Section 37.125(d) of the DOT ADA regulations requires that eligibility determinations be in writing, and if applicants are found to be ineligible, the determination must state the specific reasons for the finding. Appendix D explains that the “reasons must specifically relate the evidence in the matter to the eligibility criteria of the rule and of the entity’s process. A mere recital that the applicant can use fixed route transit is not sufficient.” If the applicant is determined to be eligible, §37.125(e) requires that documentation be provided “to each eligible individual stating that he or she is ‘ADA Paratransit eligible,’” and that such documentation 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. The determination letter must also inform applicants of the right to appeal if they are denied or found to be temporarily or conditionally eligible. CAT must revise or create these letters and send a representative sample to FTA for review.
4. At the time of the review, CAT required Teleride riders who were inactive for a period of six months to recertify. This policy violates the DOT ADA regulations at §37.125(f), which states that eligible individuals may be required to recertify at reasonable intervals. To meet this requirement, CAT must revise its recertification process and public information and submit copies to FTA. Appendix D to the regulations explains: “In the Department's view, a reasonable interval for recertification is probably between one and three years. Less than one year would probably be too burdensome for consumers; over three years would begin to lose the point of doing recertifications.”
  5. To meet the requirements of §§37.125(g) and g(2), CAT must establish an explicit administrative appeal procedure through which individuals who are denied eligibility and those who are granted less than full (unconditional) can obtain a review of the denial, either through a hearing or the submission of written material, at the applicant's choosing, and CAT must provide written notification of the appeal decision and the reasons for it. CAT must revise its public information, eligibility material, denial letters, and letters granting less than unconditional eligibility to reflect the requisite hearing process and that CAT will provide appellants written notification of the appeal decision and the reasons for it. CAT must also revise statements in eligibility material that solicit information on the use of a personal care attendant only during the transit trip to reflect that CAT acknowledges that an eligible rider may need assistance from his personal care attendant at the trip origin, destination and/or during the transit trip. Submit the revised material to FTA for review.
  6. At the time of the review, the Teleride General Manager supervised the individual responsible for making eligibility determinations and was also a member of the eligibility appeals committee. This is inconsistent with §37.125(g)(2) of the DOT ADA regulations, which requires a separation of function. In order to have appropriate separation of functions--a key element of administrative due process--not only must the same person not decide the case on appeal, but that person, to the extent practicable, should not have been involved in the first decision (e.g., as a member of the same office, or a supervisor or subordinate of the original decisionmaker). When, as in the case of a small transit operator, this degree of separation is not feasible, the second decisionmaker should at least be “bubbled” with respect to the original decision (i.e., not have participated in the original decision or discussed it with the original decisionmaker). The composition of the ADA eligibility appeal committee must be changed to guarantee separation of function and to remove the General Manager from the appeal process. After that change is made, FTA requests a listing of appeal committee members and organizational affiliations to ensure that separation of function is guaranteed.
  7. At the time of the review, CAT staff played no role in the eligibility determination process. CAT relied on its Teleride contractor to handle all aspects of the eligibility determination process. To meet the requirements of §§37.125 and 37.173 of the DOT

ADA regulations, as the fixed route provider, CAT is responsible for establishing a process for determining ADA paratransit eligibility and for ensuring that all personnel are trained to proficiency as appropriate to their duties. The individual assigned primary responsibility for reviewing applications and making eligibility determinations had no formal training in the ADA paratransit eligibility determination process. The review team's analysis denials suggested that four of the eight denials reviewed may have been inappropriately based on applicants' omitting contact information for a medical professional and/or a diagnosis that corresponded with the indicated functional limitation or disability, the applicant's use of fixed route service under certain conditions, and /or the applicant's ability to walk  $\frac{3}{4}$  of a mile. If the denials were based on the omission of information, rather than denying eligibility outright and requiring the individuals to appeal or reapply, the appropriate course of action would have been to return the applications to the applicants' directing them to supply the missing information, as the 21-day period described in finding #2 above does not begin until CAT receives a complete application. Furthermore, if CATs process does not include granting conditional eligibility to applicants who are able to use fixed route service under some circumstances, CAT must grant these applicants unconditional or "full" eligibility, rather than deny eligibility outright. CAT must inform similarly-situated riders whose eligibility was denied for these reasons that they may reapply for eligibility, and CAT must cease denying eligibility on these grounds. As part of CAT's response to this finding, please provide copies of the directives to FTA.

8. At the time of the review, CAT's policy did not confer visitor eligibility on those visitors lacking documentation of paratransit eligibility from another transit system, which is required by §37.127(d) of the DOT ADA regulations. CAT's policy and procedures must be revised to accept either documentation of eligibility from another ADA paratransit system, or documentation of a visitor's place of residence and of disability, if the disability is not apparent. CAT's revised process must accept a certification from a visitor stating that he or she is unable to use the fixed route system. Documentation cannot be required of visitors whose disability is apparent. CAT must revise Teleride public information so all visitors know how to request and obtain eligibility and CAT must submit the revised information to FTA.

### **4.3 Telephone Access**

1. At the time of the review, CAT did not track or monitor telephone hold times and the occurrence of busy signals. CAT's agreement with its contractor for Teleride neither contained standards for handling telephone calls nor required the contractor to submit performance data. The lack of performance standards, performance data and monitoring prevented CAT from determining whether the telephone system capacity was adequate, whether the staffing levels were adequate or whether riders experienced a pattern or practice of significantly long hold times or busy signals, which would indicate a capacity constraint in violation of §37.131(f)(3) of the DOT ADA regulations. CAT must develop a standard specifying a maximum allowable hold time. The standard must be set to avoid significantly long hold times, and

telephone hold times must be regularly tracked and monitored against the standard to give CAT the information necessary to ensure that capacity is not constrained by a pattern or practice of significantly long hold times and to adjust staffing as needed to avoid them. FTA requests a copy of CAT's telephone performance standards for Teleride service, once the standards have been developed.

## 4.4 Trip Reservations and Scheduling

1. At the time of the on-site visit, the review team was unable to confirm CAT's policy for accepting reservations on Saturdays, Sundays and holidays. While reservationists were on duty from 8:00 to 4:00 daily except Thanksgiving, Christmas and New Year's Day, the schedulers stated that if riders called over the weekend to request trips for Sunday or Monday, dispatchers could manually insert trips onto completed manifests. CAT did not appear to have an explicit policy to accept next-day reservations on Saturdays and Sundays and did not accept reservations on these three holidays. To meet the next-day response time requirements under §37.131(b)(1) of the DOT ADA regulations, CAT must develop explicit policies and procedures that ensure that reservation service is available during at least all normal business hours of its administrative offices, as well as during times, comparable to normal business hours, on a day when the its offices are not open before a service day, including Saturdays, Sundays and all holidays and that riders have an opportunity to negotiate pickup times as part of the process prior to CAT finalizing the schedule. Please provide to FTA copies of the policies, procedures, and revised public information reflecting that changes.
2. At the time of the review, CAT was not properly recording Teleride trip denials, resulting in an undercount of denied trips. The review team observed a total of 40 trip requests, of which two resulted in denials; this resulted in a denial rate of five percent. However, not all of the observed denials were recorded as such by Teleride personnel. The contractor only reported failures to schedule a trip at any time on a given day; however, trips that were scheduled for more than one hour before or after the requested time were recorded as "turndowns" or "standbys" rather than as denials. To meet the requirements of §37.131(b) of the DOT ADA regulations, CAT must revise its policy and count and track as denials any outright inability to serve trip requests, and any trip which it cannot schedule within one hour before or after the eligible riders desired departure time. If a rider accepts an offer of a trip that is outside the one hour window, the trip must still be tracked as a denial. If only one leg of a round trip can be reserved, and the rider declines to make the trip, two trips have been denied. CAT must track and report this information to FTA. In order to ensure that Teleride riders do not experience capacity constraints prohibited under §37.133(f), CAT must direct Teleride to retrain reservation agents to record trip denials and establish a procedure for reviewing reservation practices to ensure these denials are counted as denials and provide a copy of the directive(s) to FTA. Furthermore, as discussed in Chapter 10 of this report, in the three years prior to the on-site review, CAT made no capital expenditures for Teleride service. As the fixed route provider, CAT has an obligation to plan, budget and fund Teleride ADA

- paratransit service according to projected need, including all past and current denials, using FTA’s definitions of denials. FTA requests information on the number of trips requested, scheduled, denied, and provided for the past three months for both next-day and advance reservations, using FTA’s definition of denials and CAT’s plan to eliminate all ADA trip denials.
3. Observations by the review team indicated that CAT did not negotiate pickup times in a manner consistent with §37.131(b)(2). While CAT’s stated policy limited negotiation of trip times to one hour earlier or later than the rider’s request, review team observations indicated that customers did not have the opportunity to negotiate pickup times because CAT did not confirm pickup times during the reservation process and did not provide an opportunity to negotiate when CAT called riders back to inform them of their scheduled pickup time. Under §37.131(b)(2), CAT must schedule and provide ADA paratransit service to any ADA paratransit eligible person at any requested time on a particular service day in response to a request for service made the previous day. Consequently, the passenger must be provided the opportunity to negotiate their pickup time on the day before the requested service. CAT must revise its process to ensure that passengers are able to negotiate pickup times prior to CAT finalizing the schedule and to include this information in training material for new reservationists. As part of CAT’s response to this finding, please provide copies of the material to FTA.
  4. The review team observed schedulers moving a shopping trip by two hours without negotiating the new pickup time, in order to accommodate a medical trip. Such actions are counter to the requirement that trip times be negotiated with riders and that riders not be required to schedule a trip to begin more than one hour before or after the individual’s desired departure time under §37.131(b)(2) and a violation of the prohibition on restrictions or priorities based on trip purpose under §37.131(d). CAT must direct Teleride to cease these practices and establish consistent policies to ensure that Teleride does not prioritize trips and provide the policies and directives to FTA.
  5. At the time of the review, the schedulers were observed adjusting the pickup times requested by riders, sometimes by 15–30 minutes, to fit other trips into the schedule. Unilaterally adjusting pickup times for initial or return trips without negotiation does not meet the response time requirement of the DOT ADA regulations. As discussed in finding #4 above and in Chapter 9 of this report, under §37.131(b)(2), CAT must schedule and provide ADA paratransit service to any ADA paratransit eligible person at any requested time on a particular service day in response to a request for service made the previous day. Consequently, the passenger must be provided the opportunity to negotiate their pickup time on the day before the requested service. To meet its obligations under §37.131(b)(2), CAT must ensure that schedulers and dispatchers do not adjust the rider’s scheduled pickup time or the pickup window without the rider’s consent and must limit any changes to within 60 minutes of the requested pickup time. CAT must direct Teleride to honor the negotiation window and document all customer contact regarding changes to the pickup time previously negotiated with the customer and/or the pickup window and provide a copy of the directive(s) to FTA.

## 4.5 Service Performance

1. At the time of the review, both CAT and its contractor were uncertain as to the methodology by which on-time performance was calculated and could not verify whether the performance reports provided to the review team included pickups only or both pickups and drop-offs. The performance report on drop-offs provided to the review team was inaccurate, as it compared actual drop-off times to the scheduled drop-off times, rather than comparing the actual drop-off time to the drop off times requested by riders. If the same methodology was used to generate the performance reports for pickups, that performance data would be inaccurate as well. CAT must direct Teleride to compare the actual pickup times to the pickup times requested by riders and must monitor Teleride performance to determine whether a pattern or practice of significantly untimely trips for initial or return trips exists, which would constitute a prohibited capacity constraint under §37.131(f)(3)(i)(A) of the DOT ADA regulations. FTA requests copies of the directive(s) and CAT’s plan for monitoring the performance of Teleride service.
2. At the time of the review, it appeared that CAT did not require Teleride to regularly measure or report on-time performance, and the frequency with which CAT monitored on-time performance of Teleride service was unclear. For the sample week, CAT was on time for only 47.6 percent of the sampled trips. (If trips with pickups that occurred prior to the start of the pickup window, 45.6 percent, are included, this increases to 93.2percent; however, passengers cannot be compelled to begin their trips early and on-time performance should not be dependent upon a portion of substantially early pickups.) The extremely high percentage of pickups before the beginning of the window, coupled with the fact that CAT’s no-show suspension policy did not require Teleride to arrive within the pickup window, suggest that riders may have felt pressured to board the vehicle early. These on-time performance levels suggest the existence of a capacity constraint in violation of §37.131(3)(i)(A). CAT must develop a plan to review operational practices and identify ways to increase on-time performance for Teleride pickups within the pickup window. As part of CAT’s response to this finding, FTA also requests CAT’s current performance standards for Teleride.
3. At the time of the on-site review, CAT had neither a definition for a trip missed by Teleride, a standard for missed trips that its contractor was not to exceed, nor the ability to determine whether a trip had been missed by Teleride. Review team observations suggested that the Teleride dispatcher relied on customers and drivers using their personal cell phones to report problems with schedules and on-time performance. FTA is concerned that CAT was therefore unable to determine whether Teleride riders experienced patterns or practices of significantly untimely trips or substantial numbers of missed trips, either of which would constitute a prohibited capacity constraint under §37.131(f)(3)(i)(A) and (B). To meet the requirements under §§37.125(h)(1)—(h)(3) and §37.131(f)(3)(i)(B) of the DOT ADA regulations, CAT must develop a definition of a Teleride “missed trip,” which must include any attempted pickup after the end of the pickup window that does not result in a passenger being transported. If Teleride does not arrive within the pickup window, the rider has no obligation to wait for the vehicle and is under no obligation to board

- the vehicle. As part of its response to this finding, CAT must create a written policy defining a trip missed by Teleride, a performance goal for zero missed trips and a plan for monitoring Teleride performance against this goal. Provide copies to FTA.
4. At the time of the review, CAT had no established standards for travel time on-board Teleride and did not monitor Teleride performance to ensure that travel times were not excessive. Review team analysis suggested that riders to certain destinations whose individual trip requests were grouped together and placed on a Teleride run experienced a pattern or practice of trips with excessive trip length. To meet its obligations under §37.131(3)(i)(C), an explicit policy is needed describing how CAT defines and monitors comparability for all Teleride trips, including individual trip requests which CAT chooses to group. Direct Teleride to regularly examine scheduled runs to identify riders who regularly experience long travel times and report that data to CAT. As part of CAT's response to this finding, please provide copies of the policies, procedures and directive(s) to FTA.
  5. At the time of the review, CAT's no-show suspension policy did not appear to make distinctions between no-shows within a rider's control, those due to circumstances beyond the rider's control and those due to system error. To meet its obligations under §37.125(h)(1)- h(3) of the DOT ADA regulations, CAT must revise its no-show suspension policy as follows:
    - The length of the proposed suspension must be specified and must be reasonable.
    - No-shows that are due to circumstances beyond the rider's control will not be used as a basis for determining that a pattern or practice of missing scheduled trips exists.
    - No-shows will not be charged if the vehicle arrives early and departs prior to the start of the passenger's pickup window.
    - No-shows will not be charged if the vehicle arrives outside of the pickup window and the rider elects not to board.
    - The policy must account for the riders' frequency of use, to ensure that suspensions are imposed only in the case of a pattern or practice of missing scheduled trips and not isolated accidental or singular incidents. The *Handbook* did not mention a pattern or practice of no-shows.
    - Permanent suspension and financial penalties must both be removed.
    - CAT's public information must be revised to reflect the new policy and to clarify which eligible riders will receive a letter of concern.
    - The policy must include a stay of the suspension pending the outcome of an appeal.

As part of CAT's response to this finding, submit the revised policy and public information for review.

6. To meet its obligations under §37.125(h)(3), CAT must establish an appeals process and make it available to an individual on whom sanctions have been proposed. The appeals process must meet the requirements of §37.125(g) and be free of the procedural flaws discussed in findings #6 and #7 in section 6.5 of this report.

7. At the time of the review, CAT's failure to monitor Teleride performance prevented CAT from determining whether its contractor was meeting its contractual obligation to drop off customers within 30 minutes before an appointment; in addition, Teleride scheduled some drop-offs later than the riders' appointment times or scheduled pickups for return trips at times which required riders to leave appointments early. These practices, CAT's lack of monitoring and poor on-time performance indicated the existence of capacity constraints. CAT has an implicit obligation to get riders to appointments on time (not late) and an explicit obligation to monitor performance to insure that Teleride service is operated without any operational pattern or practice that significantly limits the availability of service to ADA paratransit eligible persons. If operational practices cause riders to arrive late to appointments and riders are discouraged from using the service as a result, this would constitute a capacity constraint prohibited by the DOT ADA regulations. Thirty-three percent of the sampled trips arrived after the appointment time. Even taking the observed practices of Teleride schedulers discussed in Chapter 9 of this report into account, the percentage of late arrivals was still 11.1 percent (one of every nine trips) which indicated the existence of capacity constraints.. CAT must monitor performance of Teleride; direct Teleride to honor riders' appointment times; direct Teleride to cease the practices of scheduling drop-offs later than riders' appointment times and scheduling pickups for return trips at times which require riders to leave appointments early; require Teleride to track, measure, review and report drop-off performance for all trips with a requested appointment times; and direct Teleride to print the appointment times on driver manifests for all trips with a requested appointment time As part of CAT's response to this finding, please provide copies of the directive(s) to FTA.

## 4.6 Resources

1. There were no findings of non-compliance requiring corrective action in Chapter 10 of this report. See Chapter 10 for recommendations.





## 5 ADA Complementary Paratransit Service Criteria

This chapter presents information about CAT’s ADA complementary paratransit service policies with respect to the regulatory criteria of Section 37.129(a) and 37.131 in the following areas:

Type of service

Service area

Hours and days of service

Fares

No trip purpose restrictions

Coordination with adjoining transit systems

This chapter also examines CAT’s process to receive, investigate, and respond to comments and complaints from ADA complementary paratransit service riders.

The review team’s observations with respect to the response time requirements of Section 37.131(b) are discussed in Chapter 7-8.

### 5.1 Consumer Interviews

One consumer interviewed before the on-site review stated that CAT drivers provided door-to-door service and seven lauded drivers for courtesy and effort. Five consumers mentioned that CAT’s service area included more than areas within 3/4-mile of fixed route service.

### 5.2 Type of Service

Section 37.129(a) of the DOT ADA regulations requires that ADA complementary paratransit service be provided on an “origin-to-destination” basis. Transit agencies may designate the “base” level of rider assistance that they provide as either curb-to-curb or door-to-door. According to DOT’s interpretation of this provision, if the base service is curb-to-curb, transit agencies must have procedures in place to provide additional assistance beyond the curb if this is needed for eligible riders to complete their trips. This might include assisting riders to and from the front door and policies and procedures for providing this assistance in a safe and reasonable way.

The “What is Teleride?” section of the *Teleride Handbook (Handbook)* stated:

Teleride is a shared ride, door-to-door, advance reservation transportation service that is available to individuals with disabilities who are unable to use fixed route bus service as defined by the Americans with Disabilities Act (ADA) of 1990 (page 2).

The “Can the driver help me get on a Teleride Van?” section of the *Handbook* stated:

Drivers may help individuals board and exit from the TELERIDE van. Drivers will not enter an individual’s residence to provide assistance. Drivers must be able to see the TELERIDE van at all times. Drivers will assist persons using wheelchairs over curb or step, but will not assist wheelchairs over large obstacles such as stairs.

The policy also stated that passengers may carry three bags of groceries on the vehicle and that the driver will not provide assistance with these bags. This limitation on passenger assistance is acceptable, as requiring drivers to carry packages is a local decision. Under CAT's policy, if a Teleride customer needed assistance with grocery bags that type of assistance was appropriate for a personal care attendant to provide.

At the time of the review, CAT provided door-to-door service for Teleride and met its obligation to provide origin to destination service through this base mode of service.

### 5.3 Service Area

Section 37.131(a)(1) of DOT ADA regulations requires a transit provider operating fixed route bus service to provide complementary paratransit service that covers, at a minimum, all areas within 3/4 of a mile of all of its bus routes, along with any small areas within its core service area that may be more than 3/4 mile from a bus route, but which are otherwise surrounded by served corridors. The service area for ADA complementary paratransit service must include areas outside of the defined fixed route jurisdiction—such as beyond political boundaries or taxing jurisdictions—that are within 3/4 mile of the transit operator's fixed route, unless the public transit agency does not have the legal authority to operate in those areas. For entities operating a light rail or rapid rail system, the paratransit service area includes a 3/4-mile radius around each station, with service provided from points within the service area of one station to points within the service area of another. Based on the information provided by the transit services staff and the scheduler/dispatcher at the time of the review, the Teleride service area was consistent with the DOT ADA regulation and with CAT's public information. The *Handbook* described the service area as "all areas within a three-quarters mile radius of all CAT fixed bus routes (page 5)." At the time of the review, CAT used RouteMatch paratransit reservations and scheduling software and its GIS database allowed the reservationist to locate the requested origin and destination on a map and determine whether it was within the service area. This was done by using a GIS measuring tool to check the distance from the fixed route bus service which were also displayed on the GIS map.

Prior to May 2008, CAT provided Teleride service countywide that in many instances extended beyond 1.5 miles from CAT's fixed route system. CAT reduced the Teleride service area to the 3/4-mile required minimum in order to meet its obligations for ADA complementary paratransit service. Since September 2009, TF&S, a separate contractor, had provided trips outside of the Teleride service area. At the time of the review, CAT staff stated that it continued to make reservations for these out-of-service-area trips and transmitted them to TF&S each day. At the time of the review, CAT staff estimated that the number of trips was "zero to a few" each day.

### 5.4 Days and Hours of Service

Section 37.131(e) of the DOT ADA regulations requires that the ADA complementary paratransit service be available during the same hours and days as the fixed route service. This means that if a trip can be taken between two points on the entity's fixed route system at a specific time of day, it must also be able to be taken on paratransit. It also means that the service area may change depending upon the time of day or day of the week, when certain

routes or areas may not be served. This requirement applies on a route-by-route basis. For example, an area that has fixed route bus service on weekdays but not weekends must have ADA complementary paratransit service (provide trips) on weekdays but not necessarily on weekends; an area that has bus service from 5 a.m. until 9 p.m. must have ADA complementary paratransit service, at minimum, from 5 a.m. until 9 p.m.

Table 5.1 compares the Teleride service hours with CAT’s fixed route service hours from the earliest run start to latest run end. As shown, the published hours of service for Teleride, did not match the fixed route service hours. The hours listed in the *Handbook* differed from the information on the CAT website.

**Table 5.1 – Comparison of Public Information Sources for Service Hours**

	<i>Handbook</i>	Website	Fixed Route Hours
<b>Weekdays</b>	6 a.m.–11:30 p.m.	6 a.m.–midnight	5:37 a.m.–12:10 a.m.
<b>Saturdays</b>	6 a.m.–11:30 p.m.	6 a.m.–midnight	5:37 a.m.–12:10 a.m.
<b>Sundays</b>	7 a.m.–6:30 p.m.	7 a.m.–7 p.m.	6:50 a.m.–8:50 p.m.

In order to comply with the DOT ADA regulations, Teleride service must be available during the same hours and days of service as CAT fixed route service.

## 5.5 Fares

Section 37.131(c) of the DOT ADA regulations requires that paratransit fares be no more than twice the fixed route fare for the same trip at the same time of day on the fixed route system, excluding discounts. In addition, fares for individuals accompanying ADA complementary paratransit riders must be the same as for the paratransit rider. Personal Care Attendants (PCAs) must be allowed to travel at no charge. Appendix D explains that a transit system may negotiate a higher fare with a social service organization or other organization for trips which are guaranteed to the agency where the agency will be paying for the transportation.

According to the May 7, 2009 Teleride Handbook (*Handbook*): “The fare was \$1.80 one-way and \$3.60 round trip” (Page 5). The CAT website also listed the Teleride one-way fare as \$1.80, which was the amount charged at the time of the review. PCAs rode free and the standard paratransit fare applied for individuals accompanying eligible customers.

CAT operated free services on its CAT Shuttle (Route 1), which looped around the historic downtown area extending from Bay Street in the north to Gaston and Gwinett Streets in the south and from Martin Luther King Junior Blvd in the west to East Broad Street. Headways ranged from 20–40 minutes. To meet the requirements of the DOT ADA regulations, CAT must either refrain from charging a fare for any Teleride trip that has both its origin and destination within 3/4-mile of the Route 1 Downtown Shuttle, or develop a methodology for determining when a comparable trip on the fixed-route system would most likely be taken on the free Route 1 Downtown Shuttle instead of the full-fare fixed route system.

## 5.6 Trip Purposes

Section 37.131(d) of the DOT ADA regulations require that there are no restrictions or priorities based on trip purpose in the provision of ADA complementary paratransit service.

CAT's written policy at the time of the review was to not restrict or prioritize trips by trip purpose, and the policy was consistent with the DOT ADA regulations. The *Handbook* stated "All passengers will be served on a first come first served basis without giving any type of special priority to trips for any reason."

The review team's observations of trip reservations and trip denials suggest that at the time of the review, CAT prioritized medical trips. The requirement to eliminate trip prioritization is discussed in Chapter 8.

## 5.7 Coordination with Adjacent Service Providers

When developing their paratransit plans, transit systems were required under Section 37.139(g) to include efforts to coordinate with transit systems with overlapping or contiguous service areas for paratransit riders who want to travel between service areas.

At the time of the review, transfers between CAT's Teleride service and ADA complementary paratransit service provided in the adjacent Bryan County to the southwest were possible. Transfers took place at a Wal-Mart store near the county line. This location was originally selected as a transfer point through informal coordination between CAT and Bryan Transit because it is close to the county line. Using this location for transfers had since become an operational practice by both paratransit providers and at the time of the review, no written agreement existed on transfers. At the time of the review, customers arranged both trips separately, and CAT staff estimated that at least one customer had done so through the Savannah Association for the Blind. No written agreement on transfers existed at the time of the review team's site visit. . At the time of the review, CAT did not instruct its drivers to wait with the passenger until the Bryan County driver arrived.

## 5.8 Complaint Handling Process

The DOT ADA regulations require public transit providers to receive complaints from riders, resolve them promptly and equitably and to keep copies of complaints on file for one year and maintain a summary of complaints on file for 5 years (§§ 27.13(b) and 27.121(b)). While requirements to respond to complainants are not included in the DOT ADA regulations, it is a common and effective practice for a transit provider to respond to complainants and for transit providers to investigate allegations to ensure that all DOT ADA requirements are being met.

At the time of the review, a person wishing to comment or complain could call, write or e-mail CAT, e-mail Teleride, or call Teleride via a confidential customer service line (912-651-6000). At the time of the review, CAT's process for addressing fixed route complaints was separate from that for paratransit complaints. CAT forwarded all paratransit complaints to its Teleride contractor and exercised minimal oversight over the contractor's handling of complaints. At the time of the on-site review, the only documentation regarding complaints was a monthly Teleride report on the number of complaints received; the monthly report provided no information regarding the types of complaints or their resolution.

At the time of the review, CAT staff stated that it received most complaints by phone through the number provided in the *Handbook* (Page 14) under the heading “To whom and where do I submit comments?” This section also included CAT’s e-mail address, mailing address, telephone, and fax number. Those calling the customer service number reached a recording; the answering service logged all incoming calls, a brief synopsis of the complaint and the caller’s contact information.

At the time of the review, Teleride’s Site Manager stated the complaints were followed up on by contacting the complainant and taking detailed information and placing the information in a complaint book; there was no complaint management database and there was no overall log of the complaints received. The complaint book contained complaints between January 2008 and December 2009; it also contained answering service records of calls received including wrong numbers and hang-ups with no gaps in the dates of these records. Although the documentation of complaints was written, often in the white space on an answering service record, the documentation included dates of call-backs and detailed information on the action taken to resolve the complaint.

At the time of the on-site review, CAT did not have contract provisions in place that required the Teleride contractor to resolve complaints within a stated period. The review team examined all complaints received within the previous 12 months and found that most complaints were responded to within one day, many on the same day, and none longer than three days from the receipt of the complaint. Responses to the complainants generally involved an apology, an explanation of circumstances, and in some cases information that the driver involved had been counseled or identified for follow-up observation by supervisors.

CAT’s procedure at the time of the review for maintaining a complaint book of paratransit complaints for two years does not meet the requirement for maintaining a summary of all complaints for five years. The complaint book would meet the requirement for a summary if it were maintained for five years and if it included fixed route and other complaints. The separate process for Teleride complaints which is separate from CAT’s complaint process for fixed route complaints prevents CAT from overseeing the volume of complaints and the process for resolving them. In order to meet its obligations under Part 27 of the DOT ADA Regulations, CAT must establish a process to keep copies of all complaints received for one year and to maintain a summary of complaints received for five years.

The review team analyzed 56 complaints on file for the twelve months prior to the review. The tabulated statistics Teleride submitted to CAT through October 2009 included 58 complaints for the 11-month period between December 2008 through October 2009; it appeared that either some complaints were not documented in the complaint records or that instances of multiple phone calls regarding a single incident were counted as separate complaints.

## **Analysis of Complaint Types**

For the 56 complaints subject to analysis, nine appeared to be based on a misunderstanding of Teleride service policies published in the *Handbook*. The most prevalent complaints concerned the capacity to provide desired trips, late pickups or drops, rudeness by drivers or (in one case) a reservationist, and missed trips. As discussed in Chapter 8, the largest number of complaints alleged the inability to schedule a trip at the desired time or being told that the schedule was full for the desired day and the trip could not be accommodated. Four of these

20 complaints concerned weekend trip requests. The information from complaint records is mentioned in the respective sections of this report.

**Table 5.2 – Summary of Teleride Complaints: December 2008 – November 2009**

<b>Complaint Category</b>	<b>Number</b>	<b>Percent</b>
Getting a Ride	20	36%
Promptness	9	16%
Policy confusion	9	16%
Driver	8	14%
Scheduling	4	7%
Comfort of Ride	3	5%
Eligibility	2	4%
Reservationist	1	2%
<b>Total</b>	<b>56</b>	<b>100%</b>

## 5.9 Findings

1. At the time of the review, CAT forwarded all paratransit complaints to its Teleride contractor and exercised minimal oversight over the contractor's handling of complaints. As the fixed route provider, CAT must establish policies and procedures to receive complaints from riders, resolve them promptly and equitably and to keep copies of complaints on file for one year and maintain a summary of complaints on file for five years to meet the requirements under §§27.13(b) and 27.121(b) of the DOT ADA regulations. The complaint book in use at the time of the review, listing paratransit complaints only, did not meet the requirements. The book would meet the requirement for a summary if it were maintained for five years and included fixed route and all other complaints.
2. At the time of the review, the fare for Teleride was \$1.80, less than twice the base fixed route fare. However, while CAT's Route 1 Downtown Shuttle had a free fare, a fare was charged for Teleride trips that had an origin and destination within  $\frac{3}{4}$  of a mile of the free Route 1 Downtown Shuttle, which does not meet the requirements of §37.131(c) of the DOT ADA regulations for ADA paratransit fares. To meet the requirements, CAT must either refrain from charging a fare for any Teleride trip that has both its origin and destination within  $\frac{3}{4}$ -mile of the Route 1 Downtown Shuttle, or develop a methodology for determining when a comparable trip on the fixed-route system would most likely be taken on the free Route 1 Downtown Shuttle instead of the full-fare fixed route system.
3. At the time of the review, as shown in Table 5.1, the published hours of service for Teleride, did not match the fixed route service hours. To meet the requirements of the DOT ADA regulations under §37.131(e) for days and hours of service, CAT must provide Teleride service during the same days and hours as fixed route. CAT must ensure that eligible riders are made aware of the changes, direct reservationists to accept these earlier and later trip requests, direct Teleride to adjust the scheduling software to recognize these trips as eligible trips, and ensure that Teleride has vehicles and drivers available to provide these trips. As part of

CAT's response to this finding, please provide a copy of the directive(s) and revised public information to FTA.

## 5.10 Recommendations

1. While requirements to respond to complainants are not included in the DOT ADA regulations, it is a common and effective practice for a transit provider to respond to complainants and for transit providers to investigate allegations to ensure that all DOT ADA requirements are being met. At the time of the review, there was no complaint database or log, nor any analysis or reporting of complaints by type. In addition, separating Teleride complaints from other CAT complaints prevents CAT from overseeing the volume of complaints and the process for resolving them. The review team discovered that the most common complaint in the twelve months prior to the review was an inability to obtain reservations for next-day and weekend trips. If CAT elects to delegate portions of complaint processing to a contractor, monitoring the contractor's performance in resolving complaints is recommended as is requiring the contractor report to CAT on the type, number and disposition of complaints. It is also recommended that CAT add deadlines or expectations to the contractor agreement for the prompt resolution of complaints within a defined time period.
2. Work to strengthen coordination with other paratransit providers.





## 6 ADA Complementary Paratransit Eligibility

Section 37.121 of the DOT ADA regulations requires transit systems to establish a process for determining ADA complementary paratransit eligibility including who is eligible, timelines for processing applications, recertification requirements, how appeals are handled, and how the process is described in public information documents

The review team examined the process used to determine applicants' eligibility for ADA complementary paratransit service to ensure that determinations are being made in accordance with the regulatory criteria and in a way that accurately reflects the applicants' functional ability. The review team also assessed timeliness of the processing of requests for eligibility and carried out the following tasks:

- Obtained information about the eligibility determination process through interviews with riders and advocates and a review of consumer comments on file at CAT
- Developed an understanding of the handling and review of applications through an assessment of eligibility materials and interviews of eligibility determination staff
- Reviewed eligibility determination outcomes for the period of April through September 2009
- Reviewed the application files of applicants denied ADA complementary paratransit eligibility
- Reviewed no-show policy and procedures

### 6.1 Consumer Comments

Based on the pre-review interviews, one consumer said that it once took CAT more than 60 days to determine eligibility but at the time of the review, CAT took approximately 30–45 days. Another consumer said CAT took two months to determine his eligibility. Four other consumers said that CAT determined their eligibility in a timely manner.

Four consumers stated that CAT does not require eligibility renewal and described CAT's eligibility process as informal. One of these four offered that CAT “naively and unintentionally” did not extend eligibility to riders with visual disabilities.

### 6.2 Overview of the Eligibility Determination Process and Materials

Section 37.125(b) of the DOT ADA regulations requires that all information about the process, materials necessary to apply for eligibility, and notices and determinations concerning eligibility be available in accessible formats, upon request.

Section 137.125(c) of the DOT ADA regulations requires transit systems to make a determination of ADA complementary paratransit eligibility within 21 days of the receipt of a completed application, or treat the applicant as eligible and provide service until the eligibility determination has been made.

Section 37.125(d) of the DOT ADA regulations states that determinations of eligibility must be in writing and if applicants are found to be ineligible, the determination must state the specific reasons for the decision. Appendix D to the regulations indicates that these reasons cannot be a simple recital that the person has been found to be able to use fixed route service. The specific reasons must relate to the regulatory criteria and the CAT's eligibility process. Decisions that deny or limit eligibility also must include information about the process for appealing the decision.

Section 37.125(e) requires the transit system to provide documentation to each eligible individual stating that he or she is "ADA complementary paratransit eligible" and include the following information:

1. Name of the eligible individual
2. Name of the transit system
3. Telephone number of the transit system's paratransit coordinator
4. Expiration date for eligibility
5. Any conditions or limitations on the individual's eligibility, including the use of a PCA

Section 37.125(f) permits the transit system to require recertification of the eligibility of ADA complementary paratransit eligible individuals at reasonable intervals.

Section 37.125(g) outlines a process for administering appeals through which individuals who are denied eligibility can obtain review of the denial. The transit system is permitted to require that an appeal be filed within 60 days of the denial of an individual's application. The appeal process must include an opportunity for the denied applicant to be heard and to present information and arguments. The decision on the appeal must be made by a person not involved with the initial decision to deny eligibility, must be written, and must explain the reasons for the decision. During the appeal period, the transit system is not required to provide paratransit service to the appellant. However, if a decision is not made within 30 days of the completion of the appeal process, the appellant must be provided paratransit service from that time until and unless a decision to deny the appeal is issued.

Section 37.127 of the DOT ADA regulations requires that paratransit service be made available to visitors who do not reside in the jurisdiction(s) served by the transit system. Visitors who present documentation that they are ADA paratransit eligible in the jurisdiction in which they reside are to be treated as eligible. For visitors with disabilities who do not present such documentation, the transit system may require documentation of the individual's place of residence and, if the individual's disability is not apparent, of his or her disability, and must accept a certification by such individuals that they are unable to use the fixed route system.

Section 37.127(e) of the DOT ADA regulations requires that 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.

As explained in Appendix D, an eligible rider does not need to live within the ADA service area in order to be eligible for service. Eligibility is based on an individual's functional ability to use fixed route service. If an eligible rider lives outside of the paratransit service area and

can get to a pickup point within the service area, he or she must be provided with service from the pickup point to destinations within the service area.

## Initial Determination Process

Section 37.123 of the DOT ADA regulations contains the regulatory eligibility standards for ADA complementary paratransit service, with further explanatory text provided in Appendix D to this section. As specified in §37.123(e)(1) & (2), eligibility is based on whether an individual can travel independently on the fixed-route system without the assistance of another person, other than the vehicle operator deploying the lift or ramp.

At the time of the review, the contractor appeared to make all eligibility determinations for Teleride service; CAT appeared to have no role in the process and exercised minimal or no oversight over its contractor making eligibility determinations. At the time of the review, CAT utilized a three-section paper application form. The form requested that applicants provide information about their condition and abilities, contact information for a health care professional, and a release statement in case additional information is needed.

Specific information requested on the application form includes the following:

General information (name, address, etc.)

Need for materials in an alternate format or language

Description of health condition or disability and questions concerning the individual's functional ability to use CAT fixed route

Mobility aids used

Need for the assistance of a PCA when traveling

Authorization for release of information needed to complete the application process.

Contact information for the health care professional

The *Handbook* and application materials did not appear to acknowledge all three regulatory criteria for ADA complementary paratransit. The process appeared to omit Category 2 eligibility and consideration that riders are paratransit eligible as described in Appendix D “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 Sec. 37.167(g) of this part.”

At the time of the review, conditional and trip eligibility were not parts of CAT's eligibility process for Teleride service. The *Handbook* appeared to reference conditional eligibility and trip eligibility as follows “Initially, individuals are functionally defined based upon their inability to use existing fixed route service as previously stated.” and “An individual may also make an appeal if the eligibility of a particular trip has been denied.”

At the time of the review, CAT's application for Teleride service was available in Braille, if requested, but in no other accessible format. The *Handbook* was available for download from the CAT website in large print. Since not everyone can read Braille and not everyone has access to a computer, CAT must make the information available in other accessible formats that applicants can use such as large print, audiotape, or text documents on CD or via e-mail.

At the time of the review, the Teleride Administrative Assistant received and date-stamped applications, reviewed them for completeness, and followed up with the applicant and/or the health care professional for additional information as needed. She stated that she made eligibility determinations, consulting with the Teleride General Manager if she had questions. She estimated that approximately 30–50 applications were received each month.

At the time of the review, if the applicant was determined to be eligible, the Administrative Assistant called the individual and sent a copy of the *Handbook*. Customer information was entered into RouteMatch at that time. Customers were able to receive an ID card, if desired, from CAT. If the applicant was determined to be ineligible, the Administrative Assistant explained that she called the individual and explained the appeal process over the phone. No letters explaining eligibility determinations were sent to applicants.

At the time of the review, there was no log of applications received with the dates of actions taken in the eligibility determination process. In the past, a summary sheet was kept each month to track the date the application was received, the date of the determination, and the date the applicant was called, but that log had not been used since May 2009. At the time of the review, a cover sheet was attached to each application, which included the date the application was received, the date it was reviewed, and information about the eligibility decision. In some cases, the cover sheet included a note about the date the applicant was called about his or her eligibility. If the individual was determined to be eligible, the cover sheet included the date on which the customer's information was entered into RouteMatch.

## Types of Eligibility Determinations Made

At the time of the review, Teleride staff made the following types of eligibility determinations for CAT's ADA paratransit service:

**Unconditional ADA eligibility** – granted to all applicants who are unable to use fixed route service for some or all of their trips.

**Temporary ADA eligibility** – granted for the expected duration of the disability.

**Visitor ADA eligibility** – granted for an unlimited number of visits and days to individuals who use ADA paratransit services in another area.

**Denied** – if applicants are able to use fixed route service and do not require Teleride paratransit service for any trips.

## Visitor Eligibility

Sections 37.127(c) and (d) of the DOT ADA regulations requires that visitor eligibility be granted to individuals with disabilities who present documentation that they are ADA paratransit eligible in the jurisdiction in which they reside in addition to those who do not have documentation of being determined ADA paratransit eligible by another transit system. This section states that:

*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 accept a certification by such individuals that they are unable to use the fixed route system.*

Section 37.127(e) of the DOT ADA regulations requires that transit system shall make the service available to a visitor 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.

At the time of the review, CAT's policy for visitor eligibility for Teleride apparently did not confer visitor eligibility for those who do not have documentation of paratransit eligibility from another transit system as required by §37.127(d) of the DOT ADA Regulations. CAT's policy on visitor eligibility must be revised.

## Recertification

The *Handbook* stated that if a rider who has been inactive for 6 months tried to make a reservation, Teleride informed the rider that he must reapply for certification. The application and process for recertification were the same as those for the initial determination of eligibility. There is no provision in the DOT ADA regulations that permits terminating a rider's eligibility based on frequency or infrequency of use of the service. Section 37.125 of the DOT ADA regulations states that "The process may not impose unreasonable administrative burdens on applicants." CAT is not permitted to terminate eligibility to ADA complementary paratransit eligible riders based on use/non-use of the system. As explained in Appendix D of the DOT ADA regulations at §37.125, once CAT certifies a rider as eligible for ADA complementary paratransit, the individual's eligibility takes on the coloration of a property right. Before eligibility can be removed "for cause," CAT must provide due process to the individual. CAT is permitted to ask applicants to recertify eligibility for Teleride service and establish reasonable expiration dates for eligibility at that time.

Appendix D to the DOT ADA regulations explains that "The entity may recertify eligibility at reasonable intervals to make sure that changed circumstances have not invalidated or changed the individual's eligibility. In the Department's view, a reasonable interval for recertification is probably between one and three years. Less than one year would probably be too burdensome for consumers; over three years would begin to lose the point of doing recertifications."

## Final Decisions and Letters of Determination

Sections 37.125 (d) and (e) of the DOT ADA regulations require that letters of determination include the following five points of information:

1. Name of the eligible individual
2. Name of the transit provider
3. Telephone number of the entity's paratransit coordinator
4. Expiration date for eligibility
5. Any conditions or limitations on the individual's eligibility, including the use of a PCA

This section also requires that determinations of eligibility be in writing, and if applicants are found to be ineligible, the determination must state the specific reasons for the decision. Appendix D to the regulations indicates that these reasons cannot be a simple recital that the person has been found to be able to use fixed route service. Decisions that deny or limit

eligibility also must include information about the process for appealing the decision. At the time of the review, CAT did not notify applicants in writing of its eligibility determinations for Teleride; it notified applicants by phone. This policy is inconsistent with the DOT ADA Regulations. Section 37.125(d) of the DOT ADA regulations require that eligibility determinations must be in writing, and if applicants are found to be ineligible, the determination must state the specific reasons for the finding and relate the reasons to the regulatory criteria and the eligibility process. Appendix D further explains that the determination cannot merely state that the person can use fixed route service.

Section 37.125(e) requires that determinations granting eligibility must be in writing as well. The transit system “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, and 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.

Since a grant of temporary eligibility is a type of limitation on eligibility, applicants who are granted temporary eligibility, must receive a written determination.

## Reported Determination Outcomes

Records for the six- month period from July 1, 2009 through December 31, 2009 indicated that Teleride received a total of 271 applications for ADA paratransit eligibility (about 45 per month). Of these, 60 (22 percent) were incomplete. A total of 211 completed applications were received. Table 6.1 shows the determination outcomes for these 211 completed applications.

**Table 6.1 – Eligibility Determinations by Category July–December 2009**

<b>Determination Outcome</b>	<b>Number</b>	<b>Percent</b>
Unconditional eligibility	180	85.3%
Temporary eligibility	12	5.7%
Visitor eligibility	1	0.5%
Not eligible	18	8.5%
<b>Total</b>	<b>211</b>	<b>100%</b>

CAT granted unconditional eligibility to 180 of the 211 individuals who submitted complete applications (85.3 percent). Another 12 individuals (5.7 percent) received temporary eligibility. One person requested and was granted visitor eligibility. Eighteen individuals who submitted complete applications (8.5 percent) were found to be not eligible.

## 6.3 Process Observations and Reviews of Recent Determinations

The review team analyzed the eligibility determinations corresponding to 37 ADA paratransit applications processed by Teleride during September 2009. Of the 37 applications received, 33 were approved and none were denied. For four of the applications, the cover sheet either contained a notation that the application was incomplete, did not note the date that customer

information was entered into the RouteMatch system, and/or did not include information about the eligibility decision.

In 21 cases, the eligibility determinations seemed reasonable and appropriate. In eight cases, the information provided in the application was very brief, incomplete, or contradictory. More information, especially from that applicant or from the identified health care professional, would have been useful in supplying the missing information and resolving contradictions.

The review team analyzed applications from individuals determined to be ineligible between April and September 2009. Of the 221 individuals who submitted applications during that period, eight (4 percent) were determined to be ineligible. Four of the decisions appeared to be reasonable and appropriate. In the other four cases, more information from the applicant and/or health care professional should have been obtained to justify CAT's denial of the applications.

- One applicant was denied eligibility because he did not identify his condition or disability or provide contact information for a health care professional. The provided information indicated that the applicant had had a hip replacement, used a cane and crutches, could not walk up or down steep hills, or wait for a bus unless there was a bench at the stop. More information should have been obtained before the individual was denied eligibility. A more appropriate procedural approach would have been to return the application to the applicant, directing him to supply the missing information and informing him that processing of the application could not proceed without it.
- Another applicant denied eligibility for failure to provide contact information for a health care professional indicated that he had blocked arteries in his legs and could use the CAT bus system on some days, but on other days, his destination was too much of a walk, and he was unable to walk up or down steep hills. If conditional eligibility had been part of CAT's process, this individual might have been a candidate for conditional eligibility based on the distance to/from the stops for a particular trip. Since CAT did not grant conditional eligibility at the time of the review, if this individual could use fixed route under certain conditions, the correct determination would have been to grant this individual full eligibility, rather than denying paratransit eligibility outright. More information should have been obtained to justify CAT's denial of the application. A more appropriate procedural approach would have been to return the application to the applicant, directing him to supply the missing information.
- The third applicant denied eligibility for failure to identify his condition or disability indicated that he used a walker; could walk less than 200 feet; and could not climb up or down steep hills, cross busy intersections, travel without curb cuts or sidewalks, travel at night, or wait without a bench and shelter. Based on the information in the application, it appeared that the applicant might not be able to travel to/from a bus stop. More information, from the applicant or from the identified health care professional on the applicant's disabling condition(s) and the effects on his functional ability, should have been obtained to justify CAT's denial of the application, rather than denying paratransit eligibility outright. A more appropriate procedural approach would have been to return the application to the applicant, directing him to either



supply the missing information himself or obtain the information from the medical professional he named in his application.

- The last applicant was denied eligibility for failure to identify his condition or disability or provide contact information for a health care professional. His application stated that he had a knee problem and used a cane, and could not climb steps or up/down steep hills, travel without curb cuts or sidewalks, or wait without a bench and shelter, but was able to walk ¾ of a mile and use a lift to get on and off a bus. More information, from the applicant or his identified health care professional, on the applicant’s disabling condition(s) and the conditions under which the applicant could walk ¾ of a mile of a mile to and from a bus stop should have been obtained to justify CAT’s denial of the application, rather than denying paratransit eligibility outright. This individual might have been a candidate for conditional eligibility based on the distance to/from bus stops. Since CAT did not grant conditional eligibility at the time of the review, if this individual could use fixed route under certain conditions, the correct determination would have been to grant this individual full eligibility, rather than denying paratransit eligibility outright. More information should have been obtained to justify CAT’s denial of the application. A more appropriate procedural approach would have been to return the application to the applicant, directing him to supply the missing information and informing him that processing of the application could not proceed without it.

### Review of Application-Processing Times

Section 37.125(c) of the DOT ADA regulations requires public entities to make a determination of ADA paratransit eligibility within 21 days of the receipt of a completed application, or treat the applicant as eligible and provide service on the 22<sup>nd</sup> day and thereafter until the eligibility determination is made.

At the time of the review, CAT did not record milestones in the eligibility determination process for Teleride in a spreadsheet or written log but instead recorded this information on the cover sheet for each application. In order to assess the timeliness of eligibility determinations, the review team obtained 79 applications received in August and September 2009. Of these, nine had incomplete cover sheets and 70 had cover sheets with some but not all dates (receipt, review telephone call to applicant). Only 25 of these had all three dates; for these, the review team calculated the determination date by assuming it occurred on or before the date Teleride contacted the applicant.

Table 6.2 shows the elapsed time between the receipt of the completed application and the date that Teleride reviewed the application.

**Table 6.2 – Elapsed Time between Application Receipt and Review for 70 Applications (August–September 2009)**

Days	Number	Cumulative	Percent
1–7	27	27	39%
8–14	17	44	63%
15–21	17	61	87%

22–28	7	68	97%
29–35	2	70	100%
<b>Total</b>	<b>70</b>	<b>70</b>	<b>100%</b>

As shown, CAT reviewed 68 out of the 70 applications in 21 days or less. Of the 25 applications that included a date of the phone call to the applicant, Teleride contacted nine applicants within 21 days of the receipt of the application contacted 16 applicants more than 21 days after receiving the application.

Teleride staff at the time of the review stated they were aware of the requirement to grant presumptive eligibility if they do not make a determination within 21 days. However CAT did not provide applicants with any information regarding the right to presumptive eligibility. Based on review team observations at the time of the review, the only public information regarding presumptive eligibility was the *Handbook*, which was only sent to applicants after they have been determined to be eligible.

## Appeal Process

Section 137.125(g) of the DOT ADA regulations contains the requirements for administering the eligibility appeals process through which individuals who are denied eligibility can obtain review of the denial. The transit system is permitted to require that an appeal be filed within 60 days of the denial of an individual's application. The appeals process must include an opportunity for the applicant to be heard and to present information and arguments. The decision on the appeal must be made by a person not involved with the initial decision to deny eligibility, must be communicated in writing and must explain the reasons for the decision. During the pendency of the appeal, the transit system is not required to provide paratransit service to the applicant. However, if a decision is not made within 30 days of the completion of the appeal process, the applicant must be provided paratransit service from that time until and unless a decision to deny the appeal is issued.

The process for appealing an eligibility determination was outlined in the *Handbook*. Individuals had 60 days within which to request an appeal. At the time of the review, the appeal committee was composed of the CAT Executive Director, the Teleride General Manager, the ACAT Chairperson, and two members appointed by ACAT. Because Teleride's General Manager supervised the Teleride employee who was responsible for making eligibility determinations, the appeal committee structure, at the time of the review, was inconsistent with the DOT ADA regulations under §37.125 which requires a separation of function. The regulations and Appendix D explanation describe that the persons who made the decision being appealed, their supervisors and subordinates should not participate in the appeal process. At the time of the on-site review, staff stated that CAT had not received any requests for appeals. Since Teleride staff informed applicants of their eligibility determination by telephone and only mailed the *Handbook* to eligible riders, it is possible that those who were denied eligibility did not know about the right to appeal the denial.

## 6.4 No-Show/Suspension Policy

Section 37.125(h) of the DOT ADA regulations states that transit agencies “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.” FTA has permitted transit systems to regard late cancellations as no-shows if and only if they have the same operational effect on the system as a no-show, generally less than 1–2 hours of the scheduled trip time.

As specified in §37.125(h)(1), trips missed by riders for reasons beyond their control, including trips missed due to operator or transit system error, cannot be a basis for determining that such a pattern or practice exists. Appendix D to this section describes a “pattern or practice” as involving “intentional, repeated or regular actions, not isolated, accidental or singular incidents.”

The review team reviewed CAT’s policies procedures and practices regarding no-show suspensions as part of the assessment.

CAT’s no-show suspension policy was described in the *Handbook*. The policy stated that a customer with three no-shows or late cancellations within a 30-day period may receive a letter of concern about abuse of the system and a no-show suspension. At the time of the review, CAT was not tracking no-shows or late cancellations and staff stated that not enforcing the policy either policy. Considering only three no-shows in a one-month period as grounds for suspension unreasonably limits service to ADA eligible customers, discourages use of the service and unfairly penalizes regular riders. At the time of the review, CAT’s policy was that cancellations must be made within two hours of the reserved time. The *Handbook* stated that if a customer did not cancel a trip at least two hours prior to a reservation and failed to appear at the pickup time, they would be charged a penalty equal to the one-way fare for the missed trip the next time they used Teleride.

FTA has permitted transit providers to include late cancellations in their suspension policy, but only to the extent that late cancellations have the same effect on the system as a no-show, and only for late cancellations within the rider’s control. In most cases a provider should be able to absorb the capacity of a trip cancelled two hours before the scheduled pickup. CAT’s policy that trips be cancelled two hours before the scheduled pickup is reasonable. Imposition of a financial penalty is inconsistent with the DOT ADA Regulations.

CAT may not impose a financial penalty as part of a no-show policy, including charging for the fare for the no-show trip. Section 37.125(h) permits only the establishment of an administrative process to suspend, for a reasonable amount of time, the provision of complementary paratransit service to eligible individuals who establish a pattern or practice of missing scheduled trips. In some cases, however, transit operators and riders facing suspension have mutually agreed to accept payment for the missed trips in lieu of suspension. Where such arrangements are made voluntarily, FTA has elected not to intervene.

As access to complementary paratransit service is a civil right, the policy should allow riders to contest no-shows and there must be an appeals process for suspensions.

## 6.5 Findings

1. At the time of the review, CAT’s application for Teleride service was available in Braille, if requested, and the large print version was available for download from

- the CAT website, but not in other accessible formats. Section 37.125(b) of the DOT ADA regulations states that all information related to eligibility and the eligibility determination process must be made available in accessible formats upon request. Since not all persons who cannot use print can read Braille, and not everyone can be expected to have access to a computer or Internet connection, CAT must make the information available in other accessible formats that applicants can use such as large print, audiotape, or text documents on CD or via e-mail. Public information must be revised to inform applicants and prospective applicants of the availability of materials in alternative accessible formats. Provide a copy of the revised public information to FTA.
2. At the time of the review, CAT did not provide any information to applicants regarding the right to presumptive eligibility. CAT inconsistently recorded receipt dates of complete applications on the application cover sheets, preventing CAT from accurately tracking application processing time. To meet the presumptive eligibility requirements of §37.125(c) of the DOT ADA regulations, CAT must revise its policies, procedures and public information to inform applicants and prospective applicants that if CAT has not made an eligibility determination within 21 calendar days from receipt of a complete application, presumptive eligibility will be granted and service will be provided on the 22<sup>nd</sup> day until and unless the application is denied. The only public information that mentioned presumptive eligibility, the *Handbook*, was only sent to applicants *after* they had been determined to be eligible. Presumptive eligibility could be described on the application form itself or in a cover letter accompanying the application. Developing and maintaining a system for tracking milestones in the application process, including the date that CAT receives a complete application, the date that the determination is made and the date that the determination letter is mailed is essential for granting presumptive eligibility as required.
  3. At the time of the review, CAT did not notify applicants in writing of their eligibility or ineligibility for service; instead, it notified applicants by telephone. Section 37.125(d) of the DOT ADA regulations requires that eligibility determinations be in writing, and if applicants are found to be ineligible, the determination must state the specific reasons for the finding. Appendix D explains that the “reasons must specifically relate the evidence in the matter to the eligibility criteria of the rule and of the entity’s process. A mere recital that the applicant can use fixed route transit is not sufficient.” If the applicant is determined to be eligible, §37.125(e) requires that documentation be provided “to each eligible individual stating that he or she is ‘ADA Paratransit eligible,’ and that such documentation 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. The determination letter must also inform applicants of the right to appeal if they are denied or found to be temporarily or conditionally eligible. CAT must revise or create these letters and send a representative sample to FTA for review.

4. At the time of the review, CAT required Teleride riders who were inactive for a period of six months to recertify. This policy violates the DOT ADA regulations at §37.125(f), which states that eligible individuals may be required to recertify at reasonable intervals. To meet this requirement, CAT must revise its recertification process and public information and submit copies to FTA. Appendix D to the regulations explains: “In the Department's view, a reasonable interval for recertification is probably between one and three years. Less than one year would probably be too burdensome for consumers; over three years would begin to lose the point of doing recertifications.”
5. To meet the requirements of §§37.125(g) and g(2), CAT must establish an explicit administrative appeal procedure through which individuals who are denied eligibility and those who are granted less than full (unconditional) can obtain a review of the denial, either through a hearing or the submission of written material, at the applicant's choosing, and CAT must provide written notification of the appeal decision and the reasons for it. CAT must revise its public information, eligibility material, denial letters, and letters granting less than unconditional eligibility to reflect the requisite hearing process and that CAT will provide appellants written notification of the appeal decision and the reasons for it. CAT must also revise statements in eligibility material that solicit information on the use of a personal care attendant only during the transit trip to reflect that CAT acknowledges that an eligible rider may need assistance from his personal care attendant at the trip origin, destination and/or during the transit trip. Submit the revised material to FTA for review.
6. At the time of the review, the Teleride General Manager supervised the individual responsible for making eligibility determinations and was also a member of the eligibility appeals committee. This is inconsistent with §37.125(g)(2) of the DOT ADA regulations, which requires a separation of function. In order to have appropriate separation of functions--a key element of administrative due process--not only must the same person not decide the case on appeal, but that person, to the extent practicable, should not have been involved in the first decision (e.g., as a member of the same office, or a supervisor or subordinate of the original decisionmaker). When, as in the case of a small transit operator, this degree of separation is not feasible, the second decisionmaker should at least be “bubbled” with respect to the original decision (i.e., not have participated in the original decision or discussed it with the original decisionmaker). The composition of the ADA eligibility appeal committee must be changed to guarantee separation of function and to remove the General Manager from the appeal process. After that change is made, FTA requests a listing of appeal committee members and organizational affiliations to ensure that separation of function is guaranteed.
7. At the time of the review, CAT staff played no role in the eligibility determination process. CAT relied on its Teleride contractor to handle all aspects of the eligibility determination process. To meet the requirements of §§37.125 and 37.173 of the DOT ADA regulations, as the fixed route provider, CAT is responsible for establishing a process for determining ADA paratransit eligibility and for ensuring that all personnel are trained to proficiency as appropriate to their

duties. The individual assigned primary responsibility for reviewing applications and making eligibility determinations had no formal training in the ADA paratransit eligibility determination process. The review team's analysis denials suggested that four of the eight denials reviewed may have been inappropriately based on applicants' omitting contact information for a medical professional and/or a diagnosis that corresponded with the indicated functional limitation or disability, the applicant's use of fixed route service under certain conditions, and /or the applicant's ability to walk  $\frac{3}{4}$  of a mile. If the denials were based on the omission of information, rather than denying eligibility outright and requiring the individuals to appeal or reapply, the appropriate course of action would have been to return the applications to the applicants' directing them to supply the missing information, as the 21-day period described in finding #2 above does not begin until CAT receives a complete application. Furthermore, if CAT's process does not include granting conditional eligibility to applicants who are able to use fixed route service under some circumstances, CAT must grant these applicants unconditional or "full" eligibility, rather than deny eligibility outright. CAT must inform similarly-situated riders whose eligibility was denied for these reasons that they may reapply for eligibility, and CAT must cease denying eligibility on these grounds. As part of CAT's response to this finding, please provide copies of the directives to FTA.

8. At the time of the review, CAT's policy did not confer visitor eligibility on those visitors lacking documentation of paratransit eligibility from another transit system, which is required by §37.127(d) of the DOT ADA regulations. CAT's policy and procedures must be revised to accept either documentation of eligibility from another ADA paratransit system, or documentation of a visitor's place of residence and of disability, if the disability is not apparent. CAT's revised process must accept a certification from a visitor stating that he or she is unable to use the fixed route system. Documentation cannot be required of visitors whose disability is apparent. CAT must revise Teleride public information so all visitors know how to request and obtain eligibility and CAT must submit the revised information to FTA.

## 6.6 Recommendations

1. It is recommended that CAT send a copy of the *Handbook* to applicants, as it was only mailed to riders once they were determined to be eligible. At the time of the review, individuals could obtain an application by mail by calling Teleride or from the CAT website. When CAT sent the Teleride application form to an individual, it did not include the eligibility requirements or information concerning the application process and timeline or recertification procedures. No cover letter or information about Teleride service or ADA paratransit eligibility was sent with the application form.
2. When an individual's application for Teleride paratransit service does not clearly indicate how the rider's disability or condition affects his or her ability to use the fixed route system independently, contact the applicant or named health care

professionals. Conducting follow up with professionals will facilitate CAT's making more thorough determinations and will provide additional information about an applicant's functional ability if the applicant appeals the determination. If CAT considers implementing conditional eligibility, in-person interviews if not in-person interviews and assessments, are an essential element of the process.

3. Include information on the right to presumptive eligibility on the Teleride page of the CAT website.
4. In consultation with the disability community, consider implementing conditional eligibility for Teleride service, after the paratransit eligibility issues are addressed and resolved appropriately. If conditional eligibility were part of the CAT process for determining eligibility for Teleride service, conditional eligibility would be the appropriate determination, for the individual's overall eligibility for those applicants who are able to use fixed route for some but not all trips as the determination for the rider's overall eligibility. Specific trips for these riders would be eligible trips when the distance to or from a bus stop for a particular trip is greater than the number of blocks that the person can reasonably and consistently travel, as one example. FTA-sponsored training on ADA paratransit eligibility determinations is provided through the National Transit Institute and is recommended.
5. Consider issuing ID cards to eligible riders. At the time of the review, CAT did not issue ID cards to eligible riders. An applicant could request an ID card when completing the application for Teleride service.

## 7 Telephone Access

Telephone access for placing or changing trip reservations or for checking the status of a ride is an important part of ADA complementary paratransit operations. Experiencing significant telephone delays to place or confirm trip requests or to check on rides could discourage people from using the service and could therefore be considered a form of capacity constraint.

Section 37.131(b) of the DOT ADA regulations requires that service must be scheduled and provided at any requested time in response to a request for service made the previous day. For example, a rider should be able to make a reservation at 4:45 p.m. for a pickup at 8 a.m. the following morning. Requests must be accepted during normal business hours, even on days that the agency may not otherwise be providing service, such as trip requests taken on Sunday for a trip on the following Monday. In addition, the prohibition on capacity constraints contained in §37.131(f) prevents a transit system from establishing any operational pattern or practice that significantly limits the availability of service. This chapter summarizes the review team's observations of the telephone system used for placing, changing, or confirming trip reservations or checking on the status of a ride.

The review included:

Rider comments obtained through telephone interviews with riders, advocates, and agencies

Standards for telephone answering performance

Design of the phone system and the staffing of phones

Practices for handling of calls in both reservations and dispatch through direct observation

### 7.1 Consumer Comments

Two of the consumers interviewed before the on-site review said that when they call into CAT, they wait less than 2 minutes; one consumer reported waiting less than 3 minutes, another said less than 5 minutes, and one more said “doesn't wait too long.”

### 7.2 Phone Service Standards and Performance Monitoring

In its November 13, 2009, response to FTA, CAT indicated that its paratransit contract did not include any standards regarding phone call handling.

### 7.3 Phone System Design

At the time of the review, CAT utilized an AT&T Merlin phone system with six incoming lines in the Teleride office dedicated to the 912-354-6900 number. The seven phones in the office were located in the scheduling and dispatch area (three) and one each in the General Manager's office, the Administrative Assistant's desk, the Safety Department, and the Maintenance Department. Each phone had access to all six lines; calls did not roll from one extension to another. The system did not have voice mail or automatic call-distribution (ACD) capabilities and did not generate performance data.



## 7.4 Reservations and Dispatch Staffing

At the time of the review, CAT had reservationists on duty daily from 8 a.m. to 4 p.m. with the exception of Thanksgiving, Christmas, and New Year's Day, so next-day reservations could not be made on these holidays. CAT's policy for Teleride reservations did not meet the response time requirements under the DOT ADA regulations.

The *Handbook* stated:

Pickup times may be negotiated between TELERIDE and the passenger to provide trips no more than one hour before or one hour after the requested scheduled trip (pages 6–7).

At the time of the review, while CAT's written policy restated the response time requirement of the DOT ADA regulations, review team observations suggested that reservationists' actual practice did not meet the requirements. Observations and findings concerning these observations are discussed in Chapter 8.

## 7.5 Observations of the Call-Handling Process

### Firsthand Observations

The review team observed operations in the reservations and dispatch area for several hours in the afternoon of December 7, the morning of December 8, and morning of December 9, 2009. During those times, dispatchers and others answered calls promptly. If calls were placed on hold so that another call could be answered, hold times were brief and lasted only about a minute at most.

## 7.6 Telephone Performance Reports

At the time of the review, CAT did not utilize an automatic call distributor (ACD) system or otherwise track telephone hold times or the occurrence of busy signals, so CAT had no performance data for the review team to analyze.

## 7.7 Findings

1. At the time of the on-site visit, the review team was unable to confirm CAT's policy for accepting reservations on Saturdays, Sundays and holidays. While reservationists were on duty from 8:00 to 4:00 daily except Thanksgiving, Christmas and New Year's Day, the schedulers stated that if riders called over the weekend to request trips for Sunday or Monday, dispatchers could manually insert trips onto completed manifests. CAT did not appear to have an explicit policy to accept next-day reservations on Saturdays and Sundays and did not accept reservations on these three holidays. To meet the next-day response time requirements under §37.131(b)(1) of the DOT ADA regulations, CAT must develop explicit policies and procedures that ensure that reservation service is available during at least all normal business hours of its administrative offices, as well as during times, comparable to normal business hours, on a day when the its offices are not open before a service day, including Saturdays, Sundays and all holidays and that riders have an opportunity to negotiate pickup times as part of the process prior to CAT finalizing the schedule. Please

provide to FTA copies of the policies, procedures, and revised public information reflecting that changes.

## 7.8 Recommendations

1. One example of a telephone performance standard is “95% of calls answered within three minutes and 100 percent of calls answered within five minutes.”
2. Include telephone standards in CAT’s agreement with its Teleride contractor and require monthly submission of call-handling data, including the percentage of calls on hold longer than prescribed standards, such as 2 minutes and 5 minutes.
3. Request a busy signal study by hour on the reservations and dispatch phone lines from CAT’s telephone service provider to allow CAT to monitor access to the reservations and dispatch lines and determine whether telephone system performance is a capacity constraint or potential capacity constraint, now and as ridership increases.
4. For more information on measuring and monitoring hold times with or without an automatic call distributor, please see the Topic Guide *Telephone Hold Time in ADA Paratransit*. This technical assistance document, developed under a cooperative agreement with FTA, is available online at <http://www.dredf.org/ADAtg/index>.
5. Upgrade the telephone system to include voice mail capacity or install an answering machine and assign staff to check voicemail or the answering machine throughout the day on Saturdays and Sundays to negotiate pickup times with riders.



## 8 Reservations Process

While the previous chapter addressed telephone access to reservations, this chapter focuses on how CAT handled trip requests for Teleride service.

### 8.1 Response Time Service Criterion for ADA Complementary Paratransit

The response time provisions of § 37.131(b) of the DOT ADA regulations require the transit system to schedule and provide paratransit service to any ADA complementary 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 and the transit system can use real-time scheduling in providing ADA complementary service. Section 37.131(b)(2) states the transit agency may negotiate pickup times with the rider but cannot require the rider to schedule a trip to begin more than one hour before or after the individual's desired departure time.

Section 37.131(b)(4) of the DOT ADA regulations also permit transit operators to accept paratransit reservations to be made up to 14 days in advance. It is important to note, however, that providing such advance reservations is *optional*; providing next-day service is *required*.

The review team gathered and analyzed the following information:

1. Comments from riders and advocates through telephone interviews, and through a review of comments and complaints on file at FTA and CAT
2. Reservations policies and performance standards

While the previous chapter addressed access to reservations, this chapter focuses on how CAT handled trip requests for Teleride service.. Section 37.131(b) of the DOT ADA regulations require the transit system to schedule and provide paratransit service to any ADA complementary 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 and the transit agency may use real-time scheduling in providing complementary paratransit service. A transit agency may negotiate pickup times with the rider but cannot require the rider to schedule a trip to begin more than one hour before or after the individual's desired departure time. The transit agency may permit advance reservations may be made up to 14 days in advance of an ADA paratransit eligible individual's desired trips.

Section 37.133 of the DOT ADA regulations allows subscription trips, i.e., pre-arranged trips at a particular time not requiring individual trip reservations for each trip. Such trips may not comprise more than 50 percent of the available trips at any given time if there is a capacity constraint at that time of day. If the paratransit service operates without capacity constraints, there is no limit to subscription service.

In this part of the review, particular attention is paid to policies regarding trip reservations and whether CAT used any form of trip caps or waiting lists. In addition, the review team analyzed whether there was a pattern or practice of denying a significant number of ADA-eligible trip requests. Finally, this portion of the review examined the policies and procedures concerning the negotiation of requested trip times.

The review team gathered and analyzed the following information:

- Comments from riders and advocates through telephone interviews
- Comments and complaints on file at FTA and the offices of CAT’s contractor for Teleride were reviewed
- Reservations policies and performance standards
- Service reports prepared showing the number of trips served and the number of trips denied for the past three years
- Direct observations of the handling of trips by review team members and interviews with Teleride staff about the ability to accommodate trip requests

## 8.2 Consumer Comments

Seven of the 11 consumers interviewed prior to the on-site review indicated that riders did not believe it was possible, or in one case, likely, that a reservation request would be successful if made one day in advance. Two interviewees said that Teleride encouraged reservations to be made seven days in advance; and if they were they to do this, they would get a reservation without difficulty. One interviewee also said that Teleride “flirts with trip denial” and sometimes goes back and forth with customers in an attempt to accommodate them when the number of available vans is insufficient to satisfy demand. Another said that prospective riders are often denied service because vans are at capacity. Another said that broken vans limit the ability to make reservations “two or three times in a typical week.” One interviewee said that weekend service is difficult to arrange after the schedule has been completed on Friday afternoon. Two interviewees said that reservations had improved since RouteMatch was introduced in September 2008.

Of the 47 complaints about Teleride received in the 12 months prior to the on-site review, 10 concerned being unable to reserve a trip at the time requested; seven of these 10 complaints referred to being unable to get any trip on the desired day or the customer being told they were on standby. In two of these instances, the Teleride Manager had acknowledged insufficient capacity or a shortage of vehicles in a written response to a customer. Three of the 10 complaints alleged inability to make a reservation for the time requested with the offered time differing from the requested time by 75 minutes to three hours.

In addition to the 10 complaints regarding the inability to make a reservation, other complaints alleged a reservation that was lost in the system, an incorrect pickup time given in the call-back, a pickup time too late to arrive on time for an appointment and a rude reservationist.

The information provided in complaints and customer interviews suggested the existence of capacity constraints that limited the ability of customers to make reservations, particularly for next-day trips and weekend trips.

## 8.3 Standards, Policies, and Procedures

At the time of the review, CAT did not have any written policy regarding operating Teleride service without trip denials, standby status, or waiting lists, and the CAT contract did not have any provision regarding avoiding trip denials. The *Handbook* (Pages 6–7) stated:

Pickup times may be negotiated between Teleride and the passenger to provide trips no more than one hour before or one hour after the requested scheduled trip... All passengers will be served on a first come first served basis without giving any type of special priority to trips for any reason.

In its November 13, 2009, letter to FTA, CAT wrote,

The paratransit contract does not call for any established goals regarding acceptable number of percentage of trips denied. However, it is worthy to note that we have parameters by which we offer alternative riders [sic] to qualified ADA clients up to 1 hour before and after passenger requested trip time. To date, no one has been turned down for any trip and no trips have been denied.

The complaints described above, in which seven complainants reported not being able to get a trip on the desired day or being told they were on standby, contradict CAT's assertion that no one had been turned down for any trip. There is a further discussion of turndowns later in this chapter.

## **Subscription Service**

The *Handbook* (Pages 10-11 "May I schedule trips without calling Teleride each Time?") described subscription trips for passengers traveling to the same place on the same weekly schedule for a minimum of eight weeks. The DOT ADA regulations limit subscription trips to 50 percent of available capacity only when a capacity constraint exists at a given time of day. Based on the customer interviews and complaints on file, capacity constraints appear to have existed on weekends and certain times on weekdays.

The review team calculated the proportion of subscription trips provided on Sunday, Wednesday, and Saturday, September 13, 16 and 19, 2009, respectively. As shown in Table 8.1, on Sunday, ridership was relatively low, and apart from 8 a.m., when the only trip was a subscription trip, the percentage of subscription trips exceeded 50 percent only in the 4 p.m. hour. On Wednesday, subscription trips exceeded 50 percent of total trips for nine of the 15 hours of the service day. On Saturdays, when anecdotal evidence from complaints and interviews suggested that it is sometimes difficult to schedule a trip, subscriptions exceeded 50 percent of total trips in 10 of the 16 service hours. On both Wednesday and Saturday, subscriptions accounted for more than 50 percent of the day's total trips.

At the time of the review, the review team needed more data to determine when capacity constraints exist, but there was a strong indication that capacity constraints existed during certain hours of the week. Subscription trips were therefore likely to exceed the 50% cap in several hours of the day. CAT needs to provide additional capacity for Teleride; in the short-term, it should limit the subscription trips during certain hours. In the absence of an hourly capacity analysis, it should limit subscription trips to no more than 50 percent of all trips during all hours of the day.

## **8.4 Observations of the Handling of Trip Requests**

At the time of the review, Teleride trip requests could be placed from 1–7 days in advance. CAT accepted trip reservations for Teleride service daily from 8 a.m. to 4 p.m. Teleride's offices were closed on Thanksgiving, Christmas, and New Year's Day; there was no way to make a next-day reservation for service on the day after these holidays.

While RouteMatch allowed trip requests to be scheduled while the caller was on the line with the reservationist, this was done only once during review team observations. When an experienced scheduler took a next-day reservation, she used RouteMatch to identify a particular route and she gave the scheduled pickup time to the caller. Reservations taken 2–7 days prior to the trip date were always scheduled after the call concluded, and CAT staff called the customer with the pickup time during the late afternoon or evening the day before the trip. During observations of call-backs, riders did not have the opportunity to negotiate pickup times.

**Table 8.1 – Hourly Subscription Trips as a Percentage of Total Trips**

	<b>Hour of Day</b>	<b>Subscription Trips</b>	<b>Total Trips</b>	<b>Percent</b>
Sunday September 13, 2009	8 a.m.	1	1	100%
	9 a.m.	4	8	50%
	10 a.m.	7	16	44%
	11 a.m.	3	8	38%
	12 p.m.	4	8	50%
	1 p.m.	7	16	44%
	2 p.m.	1	4	25%
	3 p.m.	0	3	0%
	4 p.m.	3	4	75%
	5 p.m.	1	3	33%
	<b>Total</b>	<b>31</b>	<b>71</b>	<b>44%</b>
	Wednesday September 16, 2009	6 a.m.	5	6
7 a.m.		8	10	80%
8 a.m.		9	15	60%
9 a.m.		19	33	58%
10 a.m.		13	27	48%
11 a.m.		12	27	44%
12 p.m.		7	20	35%
1 p.m.		5	10	50%
2 p.m.		11	19	58%
3 p.m.		15	23	65%
4 p.m.		11	16	69%
5 p.m.		8	11	73%
6 p.m.		3	5	60%
7 p.m.		1	3	33%
8 p.m.		1	6	17%
<b>Total</b>		<b>128</b>	<b>231</b>	<b>55%</b>
Saturday September 19, 2009	6 a.m.	4	6	67%
	7 a.m.	6	7	86%
	8 a.m.	1	3	33%
	9 a.m.	11	16	69%
	10 a.m.	11	14	79%
	11 a.m.	6	11	55%
	12 p.m.	15	21	71%
	1 p.m.	1	3	33%
	2 p.m.	0	8	0%
	3 p.m.	2	3	67%
	4 p.m.	11	18	61%
	5 p.m.	1	4	25%
	6 p.m.	3	4	75%
	7 p.m.	0	0	-
	8 p.m.	0	0	-
	9 p.m.	1	1	100%
<b>Total</b>	<b>73</b>	<b>119</b>	<b>61%</b>	



The review team observed the reservations process on Monday, December 7, from 2:30–4 p.m., on Tuesday, December 8, from 8–10 a.m., and on Wednesday, December 9, from 9:30–11:30 a.m. The review team sat with different reservationists and recorded 40 trip requests. At the time of the review, there were not separate telephone numbers for dispatch, cancellations, and eligibility questions; the review team observed 41 additional calls confirming or cancelling pickups, requesting an earlier pickup for a return trip, inquiring about eligibility, or asking where the van was. In addition, eight calls to dispatch came in from drivers who did not have working radios.

CAT's Teleride reservationists for were courteous, professional, and efficient.

The following reservations process was used when customers call to place trip requests:

1. The reservationist first asked the caller to provide his or her name and entered it into the RouteMatch trip-booking screen; a pull down list displayed the rider names beginning with the entered string of characters and their home addresses, and the reservationist selected the appropriate name. RouteMatch displayed the caller's profile information, including their phone number and other service information (e.g., mobility aids, use of a PCA). The customer's home address was the default address that appeared in the origin side of the reservations screen. The reservationists typically asked if the customer wished to be picked up at the home address (Step 3, below), but did not verify the other profile information.
2. The reservationist asked the caller for the date of travel.
3. The reservationist requested information about the trip origin. Typically, she asked if the caller would be leaving from home and, if so, confirmed that the home address displayed in the system was still correct. If the caller indicated that the trip would start from a different address, that information was entered.
4. The reservationist requested information about the destination. As the address of the destination was entered, RouteMatch provided a list of suggestions, and the reservationist picked the appropriate address and confirmed it with the caller. Information about the type of destination was also requested or confirmed if necessary (e.g., mall, medical center, apartment building, etc.). If the destination was a multi-entrance building or facility, a more specific drop-off location was entered.
5. Based on the type of trip and destination, the reservationist asked the customer when he needed to be at the destination, for an appointment. If there was no appointment, asked when he would like to be picked up. Appointment time information was typically requested for the going trip, and pickup time was typically requested for the return trip; however, if a customer was traveling to a destination that was not tied to an appointment time, such as a shopping mall the customer could request a pickup time for the going portion for the trip. The reservationist used a pull-down menu to indicate whether the trip was to be scheduled based on drop-off time, the most common type of reservation or pickup time. This choice was reflected in the driver's manifest with a large capital D or P next to the requested time.
6. For trips such as a doctor visit with an appointment time, the reservationist confirmed the time and routinely subtracted 15 minutes from the appointment time and entered this

earlier time in the Requested Drop-Off Time field. Drop-off times for trips to church were not advanced by 15 minutes.

7. The return trip, or next leg of a multi-destination trip was then scheduled in a similar manner. RouteMatch reversed the origin and destination addresses as a default for the return trip. The reservationist confirmed the return destination and asked when the customer wished to be picked up for the return trip, confirmed the time, and entered it in the Requested Pickup Time field.
8. Other than the single instance when a reservationist scheduled a next-day trip while the customer was on the phone, she simply told the customer that they would receive a call before 8 p.m. on the day before the trip with the pickup time for the going trip. In general, the customer did not know the pickup time for the going trip until receiving the call-back and had no opportunity to negotiate the offered trip time during the call.

Although team members did not observe it being used during a call to reservations, the staff demonstrated the computer screen that used a GIS module to locate a requested pickup or drop-off address on a map that also showed CAT bus routes and the 3/4-mile service area around each fixed route. A measuring tool could also be used to verify the distance from the bus route.

If a requested origin or destination was outside the 3/4-mile service area, the reservationist took the request and later forwarded the trip to TF&S, CAT's contractor for trips outside of the Teleride service area.

Reservationists estimated that 75–80 percent of the “going” trips were scheduled around the customer's appointment time, so negotiation of the drop-off time would not normally be necessary for these trips.

The reservations procedure described above did not afford customers the ability to negotiate trip times. As mentioned, in general, the customer did not know the pickup time for the going trip until he or she was called back and had no opportunity to negotiate the trip time offered during the call to reservations.

During the on-site review, computer problems in the call center required one reservationist to record reservation requests on paper; the requests were later entered into RouteMatch when a terminal was available.

Reservationists sometimes wrote down trip requests if the computer was not working properly and later keyed in those requests. In both cases, the reservationist neither confirmed nor negotiated trip times.

The review team tabulated the 40 observed reservation requests and sorted them by the number of days prior to the trip date. As shown in Table 8.2, of the 40 trip requests observed, four (10 percent) were for service on the following day and 23 (58 percent) were made 6–7 days in advance. This distribution of requests suggested that callers believed it is necessary to make reservations more than one day prior in order to get service on the desired day and/or time.

**Table 8.2 - Summary of Observations of the Handling of 40 Trip Requests**

<b>Days in Advance</b>	<b>Requests Observed</b>	<b>% of Total Requests</b>
1	4	10%
2	2	5%
3	5	13%
4	3	8%
5	3	8%
6	8	20%
7	15	38%
<b>Total</b>	<b>40</b>	<b>100%</b>

One of the observed calls was a request for a shopping trip on the following day. The caller asked for a 10 a.m. drop-off and a 12:30 p.m. pickup for the return trip. The reservationist used RouteMatch to schedule the trip while the call was in progress and offered an 11:30 a.m. drop-off and a return trip pickup at 1:32 p.m. The caller accepted these times. Because the offered times differed by more than 60 minutes from the requested times, both the going and return trips should have been recorded as denials.

### **Observed Denial Rate**

The review team observed a total of 40 trip requests, two of which two resulted in denials, due to trips scheduled more than one hour from the requested time; this resulted in a denial rate of 5 percent.

## **8.5 Trip Negotiations and Denials**

Under Section 37.131(b) of the DOT ADA regulations, the transit system may negotiate pickup times with a passenger, but cannot require the passenger to schedule a trip to begin more than one hour before or after his or her desired departure time. If the trip cannot be arranged within this timeframe and the passenger accepts a departure time of more than one hour earlier or later, this still constitutes a denial of service and must be counted as a denial, whether the rider accepts the offer or not.

At the time of the review, while CAT's stated and written policies limited negotiation of trip times to no more than one hour earlier or later than requested, in practice customers did not have the opportunity to negotiate pickup times. Pickup times were not confirmed during the reservations process; no negotiations were observed during call-backs, the day before the trip, when the customer first received the scheduled pickup time.

The DOT ADA regulations allow the CAT grantee to negotiate pickup times with ADA eligible persons within a +/- one-hour window. If the grantee cannot schedule a ride that is no more than one hour before or after the desired departing time, the trip must be tracked as a denial. Even if a rider accepts an offer of a trip that is outside the one hour window, the trip must be tracked as a denial due to CAT's inability to meet the ADA service criteria. Similarly, if only one leg of a round trip can be reserved, and the rider declines the trip, it should be tracked as two denials. If the rider refuses an alternate time that is within the one hour window, it is not a denial for the

purposes of ADA compliance. Restrictions may not be placed on the number of trips taken by a rider. Waiting lists for non-subscription are service prohibited.

At the time of the review, CAT did not track or keep statistics on denials in Teleride service. CAT’s contractor reported monthly statistics on “turndowns” which captured denials when the reservationist was unable to schedule a trip at any time on a given day, but not the denials when trips were scheduled more than an hour from the requested time. Denials, “turndowns” and “standbys” are all forms of trip denials under the DOT ADA regulations and they should all be tracked, counted and reported as denials.

Monthly data on Teleride “turndown” denials dropped beginning in April 2009. The reported monthly “turndown” denials in FY2009 (July 2008 through June 2009) ranged from 75–299 per month prior to April, but fell to 25 in April and 11 or fewer in May and June 2009 and in the first three months of FY2010. This reduction corresponds to the May 2009 reduction of Teleride’s service area from countywide to within 3/4-mile from fixed route service.

**Table 8.2 – Reported Teleride Turndowns, FY 2009 and First Quarter of FY 2010**

FY 2009												FY 2010		
Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
299	273	258	93	75	82	115	146	212	25	11	0	2	5	0

The review team observed two denials involving trips scheduled more than one hour from the requested time. In one instance, a reservationist/scheduler used RouteMatch to schedule a shopping trip on the following day while the caller was on the phone; the reservationist offered pickups for the going and return trips 2 hours earlier than requested and the caller accepted these times.

The review team also observed schedulers subsequently moving a shopping trip by two hours in order to accommodate medical trips.

These observations also suggested that a de facto priority was given to trips for medical purposes over shopping trips, which is inconsistent with Section 37.131(d) of the DOT ADA regulations.

Based on the consumer interviews and review of complaints and written responses to those complaints, trip denials appear to be an issue. CAT’s contractor at the time of the review acknowledged that there were capacity problems in the past and stated that these problems were alleviated when a separate contractor began to provide service beyond 3/4-mile of fixed route service. The remaining reported “turndowns,” together with the unreported denials that appeared to be happening and unreported “standbys,” are all types of denials and constitute a capacity constraint. With no reports on denials, it is not possible to determine the extent of the capacity constraint, so the first step in addressing this situation is for CAT to require Teleride to document all denials that occur during either the reservations or scheduling processes.

The review team analyzed how trip scheduling corresponded to the requested drop-off time for trips that required the customer to be on time—such as medical appointments—by examining the manifests for all 208 one-way trips on Monday September 14, 2009. The manifest showed the time as entered by the reservationist, which was generally 15 minutes earlier than the customer’s actual appointment time. The manifest also indicated the scheduled time for the pickup or drop-off.

Of the 208 trips performed, nine trips were scheduled more than 20 minutes from the time requested by the rider—either pickup or drop-off.

- Six trips had their drop-off scheduled at least 30 minutes after the requested drop-off time. Allowing for the reservations procedure of entering a requested time 15 minutes earlier than the customer’s appointment, these drop-offs were scheduled at least 15 minutes after the actual appointment time.
- One trip had its drop-off scheduled 20 minutes after the requested time and 5 minutes late for the appointment.
- One trip had its drop-off scheduled 65 minutes before the requested time, which meant that the customer was 80 minutes early for an appointment.
- One return pickup from a dialysis center was scheduled 62 minutes after the requested pickup time.

The seven late drop-offs were instances of intentionally scheduling late drop-offs, presumably because of tightness in the schedule that is symptomatic of insufficient capacity. The drop-off scheduled 65 minutes early and the pickup scheduled 62 minutes late constitute denials. While this analysis is not necessarily representative of all days, these scheduling denials combined with the complaints and interviews and the reported turndowns strongly suggest that capacity constraints exist.

## **8.6 Trip Confirmations**

During the on-site visit, review team members considered the following questions as part of their analysis of the batch scheduling and call-back processes:

- Does the transit system record and honor the originally requested time to meet part of its response time obligations under the DOT ADA regulations and ensure that riders are not required to travel more than one hour before or after the time the customer wishes to travel?
- Does the rider have a realistic opportunity to negotiate when he receives the scheduled pickup time, which is provided during the call-back, whether the call-back happens because the rider calls the transit system, or the transit system calls the rider?
- If a new scheduled time is negotiated, is the original requested time preserved?
- After the call-back and realistic negotiation, is there a possibility that the transit system would adjust the scheduled time again?
- Do call-backs take place too early or too late in the day to be practical?

Each day beginning in the late afternoon, a reservationist uses a printed list of scheduled trips to call each customer and give him or her the scheduled pickup time. Some riders may also call CAT to get to get their Teleride pickup times.

During call-backs, the reservationist provided the pickup times, but not the pickup windows. The reservationist indicated on the list whether or not she spoke to the customer; left a message on

voice-mail, an answering machine, or with another person at the customer's number; the reservationist made one or more attempts to reach customers. If CAT was unsuccessful in reaching the rider, the trips were provided as scheduled. During call-backs, no negotiation of trip times was observed.

## 8.7 Findings

1. At the time of the on-site visit, the review team was unable to confirm CAT's policy for accepting reservations on Saturdays, Sundays and holidays. While reservationists were on duty from 8:00 to 4:00 daily except Thanksgiving, Christmas and New Year's Day, the schedulers stated that if riders called over the weekend to request trips for Sunday or Monday, dispatchers could manually insert trips onto completed manifests. CAT did not appear to have an explicit policy to accept next-day reservations on Saturdays and Sundays and did not accept reservations on these three holidays. To meet the next-day response time requirements under §37.131(b)(1) of the DOT ADA regulations, CAT must ensure that reservation service is available during at least all normal business hours of its administrative offices, as well as during times, comparable to normal business hours, on a day when the its offices are not open before a service day, including these holidays and that riders have an opportunity to negotiate pickup times prior to CAT finalizing the schedule. CAT must develop explicit policies and procedures to ensure that eligible riders are able to book trips on Saturdays, Sundays and holidays and negotiate pickup times as part of the process. Please provide to FTA copies of the policies, procedures, and revised public information informing riders of the changes.
2. At the time of the review, CAT was not properly recording Teleride trip denials, resulting in an undercount of denied trips. The review team observed a total of 40 trip requests, of which two resulted in denials; this resulted in a denial rate of five percent. However, not all of the observed denials were recorded as such by Teleride personnel. The contractor only reported failures to schedule a trip at any time on a given day; however, trips that were scheduled for more than one hour before or after the requested time were recorded as "turndowns" or "standbys" rather than as denials. To meet the requirements of §37.131(b) of the DOT ADA regulations, CAT must revise its policy and count and track as denials any outright inability to serve trip requests, and any trip which it cannot schedule within one hour before or after the eligible riders desired departure time. If a rider accepts an offer of a trip that is outside the one hour window, the trip must still be tracked as a denial. If only one leg of a round trip can be reserved, and the rider declines to make the trip, two trips have been denied. CAT must track and report this information to FTA. In order to ensure that Teleride riders do not experience capacity constraints prohibited under §37.133(f), CAT must direct Teleride to retrain reservation agents to record trip denials and establish a procedure for reviewing reservation practices to ensure these denials are counted as denials and provide a copy of the directive(s) to FTA. Furthermore, as discussed in Chapter 10 of this report, in the three years prior to the on-site review, CAT made no capital expenditures for Teleride service. As the fixed route provider, CAT has an obligation to plan, budget and fund Teleride ADA paratransit service according to projected need, including all past and current denials, using FTA's definitions of denials. FTA requests information on the number of trips requested, scheduled, denied, and provided for the past three months for both next-

day and advance reservations, using FTA's definition of denials and CAT's plan to eliminate all ADA trip denials.

3. Observations by the review team indicated that CAT did not negotiate pickup times in a manner consistent with §37.131(b)(2). While CAT's stated policy limited negotiation of trip times to one hour earlier or later than the rider's request, review team observations indicated that customers did not have the opportunity to negotiate pickup times because CAT did not confirm pickup times during the reservation process and did not provide an opportunity to negotiate when CAT called riders back to inform them of their scheduled pickup time. Under §37.131(b)(2), CAT must schedule and provide ADA paratransit service to any ADA paratransit eligible person at any requested time on a particular service day in response to a request for service made the previous day. Consequently, the passenger must be provided the opportunity to negotiate their pickup time on the day before the requested service. CAT must revise its process to ensure that passengers are able to negotiate pickup times prior to CAT finalizing the schedule and to include this information in training material for new reservationists. As part of CAT's response to this finding, please provide copies of the material to FTA.
4. The review team observed schedulers moving a shopping trip by two hours without negotiating the new pickup time, in order to accommodate a medical trip. Such actions are counter to the requirement that trip times be negotiated with riders and that riders not be required to schedule a trip to begin more than one hour before or after the individual's desired departure time under §37.131(b)(2) and a violation of the prohibition on restrictions or priorities based on trip purpose under §37.131(d). CAT must direct Teleride to cease these practices and establish consistent policies to ensure that Teleride does not prioritize trips and provide the policies and directives to FTA.
5. At the time of the review, the schedulers were observed adjusting the pickup times requested by riders, sometimes by 15–30 minutes, to fit other trips into the schedule. Unilaterally adjusting pickup times for initial or return trips without negotiation does not meet the response time requirement of the DOT ADA regulations. As discussed in finding #4 above and in Chapter 9 of this report, under §37.131(b)(2), CAT must schedule and provide ADA paratransit service to any ADA paratransit eligible person at any requested time on a particular service day in response to a request for service made the previous day. Consequently, the passenger must be provided the opportunity to negotiate their pickup time on the day before the requested service. To meet its obligations under §37.131(b)(2), CAT must ensure that schedulers and dispatchers do not adjust the rider's scheduled pickup time or the pickup window without the rider's consent and must limit any changes to within 60 minutes of the requested pickup time. CAT must direct Teleride to honor the negotiation window and document all customer contact regarding changes to the pickup time previously negotiated with the customer and/or the pickup window and provide a copy of the directive(s) to FTA.



## **8.8 Recommendations**

1. Consider providing further training to staff on the paratransit software currently in use. At the time of the on-site visit, it appeared that the RouteMatch paratransit software had features of which staff were not availing themselves at the time of the review, e.g., immediate confirmation of trip requests, notification of scheduling violations concerning requested pickup and drop-off times.
2. It is recommended that CAT analyze when capacity constraints do and do not occur during the Teleride hours and days of service and limit subscription trips to no more than 50 percent of all trips during the hours in which CAT's Teleride service experiences capacity constraints. Once the prohibited capacity constraints are eliminated, CAT may increase the percentage of subscription trips offered, provided that the service remains free of capacity constraints.
3. It is recommended that CAT undertake a demand projection analysis to determine and budget for predicted future service demand levels.

## 9 Service Performance

Section 37.131(f) of the DOT ADA regulations for complementary paratransit service prohibit capacity constraints, including missed trips, a substantial number of untimely trips, and excessively long rides and other operational practices that limit the availability of service to paratransit eligible riders. Consequently, the review team examined how the service performed in terms of on-time performance, the handling of missed trips and no-shows, and on-board travel times for CAT's ADA complementary paratransit service.

The review team conducted the following activities to assess service quality:

- Obtained comments from consumers regarding on-time performance and travel times, through telephone interviews and a review of complaints on file with CAT's contractor for Teleride service.
- Reviewed CAT's relevant service policies, procedures, and standards
- Observed CAT's scheduling and dispatch functions and interviewed the appropriate staff
- Reviewed on-time performance and travel time records for Teleride service
- Tabulated actual pickup and drop-off times recorded on completed manifests for a selected day
- Reviewed a sample of run manifests to assess average trip length
- Compared travel times of ADA complementary paratransit trips with those of comparable fixed route trips

### 9.1 Consumer Comments

Of the eleven consumers interviewed prior to the site visit, seven stated that they did not believe it was possible, or in one case, likely that a trip request would be served if the request was made one day in advance. Two interviewees said that Teleride encouraged customers to make reservations seven days in advance and if they were to do so, they would get a reservation without difficulty. One interviewee also said that Teleride "flirts with trip denial" and sometimes went back and forth with customers in an attempt to accommodate them when the number of available vans was insufficient to satisfy demand. Another said that prospective riders were often denied service because vans were at capacity. Another said that broken vans, limit the ability to make reservations "two or three times in a typical week." One interviewee said that weekend service was difficult to arrange after the schedule had been completed on Friday afternoon. Two interviewees said that reservations had improved since the new RouteMatch software was introduced in 2008.

In the 12-month period prior to the on-site review, 47 complaints were received. Of this total, 10 complaints concerned not being able to reserve a trip at the time requested; seven of these 10 complaints referred to not being able to get a trip on the desired day or the customer being told they were on "standby." In two of these instances, the Teleride manager at the time mentioned in his response that there was insufficient capacity or a shortage of vehicles. Three of these 10 complaints concerned not being able to make a reservation for the time requested, with the offered time differing from the requested time by 75 minutes to three hours.

In addition to the 10 complaints regarding ability to make a reservation, three other complaints concerned a reservation that was lost in the system, an incorrect pickup time given in the callback, and a pickup time too late to arrive on time for an appointment. An additional complaint concerned rudeness by a reservationist.

The information provided by customers through complaints and interviews suggests capacity constraints that limit the ability of customers to make reservations, particularly for weekend trips and on a next-day basis.

## **9.2 Service Standards and Policies**

### **On-Time Performance Policies and Standards**

At the time of the review, CAT had a target of on-time performance for Teleride trips of 90 percent for “observed trips on time,” with a pickup window of 0 to 30 minutes after the scheduled time.

The Handbook stated the following with regard to CAT’s target for trips with requested drop-off (appointment) times: “The goal of Teleride is to have you to your appointment between 0 minutes and 30 minutes before your appointment.”

In effect, this was a drop-off window of -30/0.

### **No-Show and Missed Trip Definitions and Performance Standards**

Under §37.125(h) (1) of the DOT ADA regulations, transit operators may establish an administrative process to suspend ADA paratransit service, for a reasonable amount of time, to eligible individuals who establish a “pattern or practice” of missing scheduled trips. Trips missed by the individual 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. Appendix D explains that “pattern or practice” involves, intentional, regular, or repeated actions, not isolated, accidental, or singular incidents. In particular, trips that are missed due to operator error are not attributable to the individual passenger for this purpose.

Similarly, §37.131(f) prohibits transit operators from engaging in operational patterns or practices that significantly limit the availability of ADA paratransit service to eligible persons, including substantial numbers of missed trips. As with passenger no-shows, operational problems outside the control of the transit operator do not count as a basis for determining that a pattern or practice under this provision. For example, if something that could not have been anticipated at the time the trip was scheduled (e.g., a snowstorm, an accident or incident that traps the paratransit vehicle, like all traffic on a certain highway, for hours), the resulting missed trip would not count as part of a pattern or practice. On the other hand, if scheduling practices fail to account for regularly-occurring traffic conditions or vehicles experience frequent mechanical breakdowns due to poor maintenance practices, a pattern or practice may exist. The *Handbook* stated “If you have not canceled your trip by providing Teleride notice prior to your scheduled trip time, you are considered a ‘no-show.’”

At the time of the review, CAT did not have a definition for a Teleride missed trip.

Many transit providers have a suspension policy for a pattern or practice of no-shows, as allowed by 49 CFR 37.125(h). However, such a policy must be narrowly tailored to a true pattern or

practice. Such a policy would take into account frequency of rides and no-shows, and not use a simple number threshold.

Only no-shows that are under the rider's control may be counted against the rider. No-shows caused by reasons beyond the rider's control, for example scheduling problems, late pickups, and operational problems on the part of the transit provider or a family emergency or sudden turn for the worse in a variable medical condition or operator error must not be counted against the rider.

## **Travel Time Policies and Standards**

Among the examples of prohibited capacity constraints included in §37.131(f) are “substantial numbers of trips with excessive trip lengths” (§37.131(f)(3)(i)(C)). Since paratransit is a shared-ride service, trips between Point A and Point B will usually take longer than a taxi ride between the same points, and involve more intermediate stops. However, when the number of intermediate stops and the total trip time grows so large as to make use of the system prohibitively inconvenient, a capacity constraint could exist. Generally, total transit time aboard paratransit should be comparable to the same trip taken on the fixed-route system, after accounting for any transfers for multi-route trips, waiting time at each end of the trip, and travel to and from the bus stop.

In its response to FTA, CAT indicated that its contract for Teleride service does not include any standards or goals pertaining to travel time.

## **9.3 Scheduling and Dispatching Procedures and Observations**

### **Scheduling**

At the time of the review, CAT used RouteMatch software for its Teleride rider database, scheduling, dispatching, and reporting. CAT had been using RouteMatch since spring 2008; previously, CAT used a proprietary software package from Laidlaw, First Transit's predecessor).

The scheduling process for demand (non-subscription) trips started with the schedulers/dispatchers taking calls for trip requests 1–7 days in advance of the date of the requested trip. At the time of the review, CAT did not confirm pickup times during the initial call.

During the on-site visit, review team members considered these questions as part of their analysis of the scheduling and call back processes:

- Does the transit system record and honor the originally requested time to meet part of its response time obligations under the DOT ADA regulations and ensure that riders are not required to travel more than one hour before or after the time the customer wishes to travel?
- Does the rider have a realistic opportunity to negotiate when he receives the scheduled pickup time, which is provided during the call-back, whether the call back happens because the rider calls the transit system, or the transit calls the rider?
- If a new scheduled time is negotiated, is the original requested time preserved?

- After the call-back and realistic negotiation, is there a possibility that the transit system would adjust the scheduled time again?
- Do call backs take place too early or too late in the day to be practical?

At the time of the review, the lead scheduler and second scheduler generally started work on the schedule one day ahead. Late on Fridays, they also developed the schedules for Saturday, Sunday and Monday. They stated that if riders called over the weekend to request trips for Sunday or Monday, dispatchers could manually insert trips onto completed manifests.

At the time of the review, the schedulers estimated that subscription trips comprised more than a third of Teleride trip requests. The schedulers “anchored” subscription trips to particular routes, meaning that these trips stayed on the same route for a given day of the week and that their scheduled pickup and/or drop-off times for these trips did not change. On weekdays, that left about 150–200 next-day trips to schedule.

The schedulers generally proceeded as follows:

- Schedulers used the Quick Recommendations scheduling feature in RouteMatch. They said that they used this for a small number of trips each day, usually fewer than 10, to ensure they were assigned. These trips tended to be longer trips on the south side of service area and trips in the early morning.
- Schedulers placed the rest of the trip requests in the Optimization feature, RouteMatch’s batch-scheduling process. After this routine, they said that there are usually about 30 unscheduled trips on a weekday. The two schedulers manually assigned these unscheduled trips to routes and review the other batch trips.
- Schedulers tried to complete this process by 2 p.m. each weekday—even though CAT accepted next-day requests for Teleride until 4 p.m. They printed the driver manifests and began the callback process.
- On some days, they left some trips unscheduled; the schedulers stated these were most likely return trips in the afternoon. They assigned them to routes the next morning on the day of service, using capacity that opened up from overnight and same day cancellations.
- Schedulers stated that they adjusted requested times during the scheduling process, sometimes by between 15 and 30 minutes and rarely by more than 30 minutes. They stated that they left notes to the staff making the callbacks to explain that CAT had to adjust the trip times to make the trips and other trips fit in the schedules. They stated they had to make these adjustments “not every day...3–4 times per month.”

Reservationists estimated that 75–80 percent of the going trips were scheduled around the customer’s appointment time, so they surmised that negotiation of the drop-off time would not normally be necessary for these trips.

As mentioned in Chapter 8, the scheduling practices at the time of the review raised several other concerns:

Changes to the negotiated time without prior approval of the rider may result in a late pickup, a trip cancellation an incorrectly charged no-show , or a response-time violation. If a rider expects a 9 a.m. pickup, his or her expectation is that the vehicle will be on time and arrive between 8:45 a.m. and 9:15 a.m., based upon CAT’s +/- 15 minute on-time pickup window. If the scheduler subsequently adjusts the pickup time for 9:15 a.m., the on-time window becomes 9 a.m. until

9:30 a.m. Since the adjusted scheduled time would be 9:15 a.m. on the manifest, the driver would think that he may arrive as late as 9:30 a.m. and still be on time. In fact, in this example, the driver would be 15 minutes late. Conversely, if the scheduler adjusts the pickup time to 8:15 a.m., the driver may think that he can arrive as early as 8 a.m. and the customer may not be ready to travel. CAT must contact the customer and ask if the scheduled time change is acceptable prior to finalizing the schedule.

Scheduling a trip at a time that differs by more than 60 minutes from the requested time does not meet the response time requirements of the DOT ADA regulations. Adjusting times by more than 30 minutes to fit other trips into the schedule is a poor practice which does not meet the response time requirements of the DOT ADA regulations and may also constitute a denial. Scheduling pickups for return trips earlier than the requested time and/or scheduling drop-offs later than the requested appointment time are poor scheduling practices which result in poor on-time performance and suggest the existence of capacity constraints that discourage eligible riders from using the service.

## **Dispatching**

At the time of the review, reservationists and schedulers also acted as dispatchers. On weekdays, the first dispatcher began work at 4:30 a.m. From 5 a.m. to 8 p.m., 2–3 staff members were in the office and available for dispatch; after 8 p.m., one dispatcher worked until the final vehicle returned. The staffing level was the same on Saturdays with slightly different hours, one from 4:30 a.m., 2–3 from 7 a.m. to 5 p.m., and one after 5 p.m. On Sundays, one dispatcher was on duty from 7 a.m. to 7 p.m.

At the time of the review, this dispatch staffing was sufficient for a peak fleet of fewer than 20 vehicles. However, all three staff members shared responsibilities of taking trip requests, scheduling, and dispatching. At busy times—particularly weekday afternoons—three staff members may not be sufficient to handle their existing tasks.

The vehicles used for Teleride service did not have mobile data terminals. Drivers were not required to call in each pickup and drop-off. As a result, the dispatchers did not have on-going real-time information about the location of the vehicle or performance of the routes. Dispatchers could check the Whiteboard in RouteMatch that showed the schedules of each route but did not incorporate adjusted times. The dispatchers were not aware whether RouteMatch had a feature that would have allowed them to look at trips of all routes in time sequence.

Dispatchers showed the review team two printed reports, one with an alphabetical list of riders' names and one sorted first by route, then by pickup/drop-off time. Dispatchers used the rider list primarily to respond to riders who called in to find out their pickup times.

For trips that could not be performed, the dispatchers stated that they entered these in real-time as cancellations, no-shows, and "rider not ready." The dispatcher stated they would schedule the riders in the last group for a subsequent pickup. The review team's understanding was that "not ready" was CAT's term for a trip that could not be performed which was neither a cancellation nor a no-show. The difference between a no-show and a "not ready" was not clear, other than those who were in the "not ready" group would be rescheduled for a subsequent pickup.

Based on the review team's observations, dispatchers did not proactively look ahead in the schedules to avert future late trips. In general, the dispatchers relied on drivers and those riders making "where's my ride?" (WMR) calls to alert them to problems with the schedules. If a

driver did not perceive a problem with her route, she did not have to communicate with dispatch during the work shift.

The *Handbook* indicated that riders would be given a five-minute grace period beginning when Teleride arrived and did not state that the vehicle needed to arrive within the pickup window. CAT's written policy did not explicitly require dispatchers to make a call to try to locate the passenger before approving the no-show or not ready and authorizing the driver to leave the pickup point. At the time of the review, if a driver could not locate the rider for a return trip, dispatch rarely coded these as a no-show. Instead, the dispatcher declared these as "not ready". Observations at the time of the review were that dispatchers did not consistently make a call to try to locate the rider. At the time of the review, the dispatchers appeared to follow CAT's procedures for rider no-shows. After a driver radioed to a dispatcher that he or she could not locate a rider, the dispatcher had to approve the no-show or not-ready before the driver could depart from the pickup location.

The dispatchers stated they kept track of these trips for later attempts to pick up the riders. This approach is preferable to improperly declaring a no-show. A recommended practice is to direct dispatchers to call the rider during the five minute grace period in an attempt to locate him or her prior to declaring a no-show.

The dispatchers mentioned one ongoing resource issue. At the time of the on-site review, Teleride regularly used three leased sedans and extra vehicles from First Transit; none were equipped with a radio enabling communication between drivers and dispatch. While Teleride issued portable radios to the drivers of these vehicles, the radios were unreliable due to their short battery life. As a substitute, dispatchers stated that drivers used their personal mobile phones to communicate with dispatch, which limited communication; the dispatcher could not send a broadcast message to all drivers and had to call each separately,

## **9.4 Driver Interviews**

Because the union representing Teleride drivers objected to its request to interview drivers, the review team was only able to interview one driver.

## **9.5 On-Time Performance**

At the time of the review, CAT's on-time performance standard for Teleride service was 90 percent for "observed" trips on time with a 0/+30 pickup window. In FTA's experience and in comparison with other ADA paratransit operations, 90 percent is a low target for a pickup window of 30 minutes.

For trips with requested drop-off (appointment) times, "The goal of Teleride is to have you to your appointment between 0 minutes and 30 minutes before your appointment." In effect, this is a drop-off window of -30/0.

## **Reported On-Time Performance**

At the time of the review, Teleride employees recorded actual pickup times and generated daily and monthly reports for on-time performance. For the months of May through October 2009, on-time performance ranged from a low of 91.1 percent to a high of 93.8 percent. The review team could not determine—and Teleride and CAT staff could not confirm – if these statistics were for pickups only or whether these statistics combined measures for pickups and drop-offs. Based on

the review team’s analysis of daily RouteMatch reports from the sample week of September 13–19, 2009, it appears that the calculation of drop-off performance was based on a comparison of actual drop-off times with scheduled drop-off times as opposed to the riders’ requested drop-off times. If the same method was used to generate monthly reports of on-time performance, then these reports would be inaccurate too.

## Calculated On-Time Performance for Sample Week

The review team independently calculated on-time performance by reviewing driver manifests for the sample week of September 13–19, 2009. Every ninth trip on the manifests was selected, yielding a sample of 147 Teleride trips.

Table 9.1 shows the analysis of on-time pickup performance for the sampled trips. Counting all pickups that were in the window or early, on-time performance was 93.2 percent; 45.6 percent of the pickups took place before the beginning of the window. This was consistent with reported pickup performance for May–October 2009. If only pickups within the window of 0/+30 are counted, then on-time performance for the sampled trips was 47.6 percent;

**Table 9.1 – On-Time Performance for Pickups: September 13-19, 2009**

Sample		Number	Percent
		147	100.0
Pickups in Window 0/+30 minutes after requested time		70	47.6
Pickups in Window or Early		137	93.2
All Early Pickups			
	1–15 minutes	45	30.6
	16–30 minutes	13	8.8
	> 30 minutes	9	6.1
All Late Pickups			
	1–15 minutes	5	3.4
	16–30 minutes	2	1.4
	> 30 minutes	3	2.0
	> 60 minutes	1	0.7

Of the 147 sample trips, 72 had a designated appointment time. The on-time drop-off performance for the sampled trips is presented in Table 9.2 and shows that 66.7 percent of the sampled trips with appointment times had on-time drop-offs, while 33.3 percent arrived after the appointment time; one of every three riders with an appointment time arrived late. This substantial number of late drop-offs is an operational pattern or practice that may discourage Teleride riders from using the service and suggest the existence of capacity constraints.



**Table 9.2–On-Time Drop-off Performance: September 13-19, 2009**

Sample		Number	Percent
		72	100.0
All on-time trips before appointment time		<b>48</b>	<b>66.7</b>
	1–15 minutes early	14	19.4
	16–30 minutes early	24	33.3
	31–60 minutes early	9	12.5
	> 60 minutes early	1	1.4
All Late Drop-offs		<b>24</b>	<b>33.3</b>
	1–15 minutes	16	22.2
	16–30 minutes	4	5.6
	> 30 minutes	4	5.6

The review team observed that schedulers generally “backed off” the appointment time provided by callers by 15 minutes. For example, if a rider stated an appointment time of 9 a.m., the scheduler would enter 8:45 a.m. into RouteMatch. Consequently, trips that appeared to be 1–15 minutes late might not, in practice, be late. If so, the proportion of late drop-offs in this sample would be 11.1 percent. This number of late drop-offs, one of every nine trips, is still an operational pattern or practice that may discourage Teleride riders from using the service and suggests the existence of capacity constraints.

For many trips, such as medical appointments, work, school, and business appointments, an on-time drop-off may be more important to a rider than an on-time pickup and the extent to which a drop-off is late may have greater consequences than a late pickup. A late drop-off could lead to a missed appointment or class or jeopardize employment.

In addition, 13.9 percent of trips (10 of 72) with an appointment time had arrival times more than 30 minutes ahead of the requested drop-off time. If at the time of the review, the schedulers were consistently backing off the appointment time in RouteMatch by 15 minutes, then a rider that was dropped off 30 minutes early based on the RouteMatch data would have actually been dropped off 45 minutes early. The resulting proportion of very early drop-offs would be 47.2 percent. This substantial number of very early drop-offs is an operational pattern or practice that may discourage Teleride riders from using the service and may be a type of capacity constraint.

CAT’s drop-off policy was consistent with its practice of scheduling drop-offs 15 minutes earlier than the customer’s requested time; thus, a drop-off 15 minutes after the scheduled time would get the customer to their appointment on time. On the other hand, a drop-off that is 30 minutes before the scheduled time would be 45 minutes before the customer’s desired arrival time. A drop-off this early could result in the customer waiting outdoors for a facility or medical office to open; this wait might be hazardous in extreme temperatures or inclement weather. In the sample that was analyzed, 20.5 percent of trips arrived more than 30 minutes before the requested time.

CAT should develop standards for on-time drop-offs and significantly late drop-offs. In establishing an on-time drop-off window, consideration should also be given to avoiding drop-offs that are too early. ADA complementary paratransit services often use on-time drop-offs

windows, such as 30 minutes before the appointment time, in order to arrivals that arrivals are on time and not substantially early.

## 9.6 On-Board Ride Times

The review team analyzed a sample of Teleride trips provided during the week of September 13–19, 2009. To assess on-board travel times for Teleride riders, the review team examined vehicle manifests for the sample week and identified those trips with potentially long travel times.

Table 9.3 shows the distribution of travel time for those trips, as determined by the respective pickup and drop-off times recorded on vehicle manifests. The average travel time for trips in this sample was 32 minutes.

**Table 9.3 – On-Board Travel Times for Teleride Trips**

<b>On-board Travel Time</b>	<b>Number of Trips</b>	<b>Percent</b>
1-15 minutes	46	31.3
16-30 minutes	47	32.0
31-45 minutes	31	21.1
46-60 minutes	15	10.2
> 60 minutes	8	5.5
<b>Total</b>	<b>147</b>	<b>100</b>

The review team selected a sample of trips with long travel times for further analysis. RouteMatch generated a list of 77 trips with travel times of 61 minutes or more provided during the sample week. Every other trip was selected. Typically, the departure time from the pickup point is used to calculate ADA paratransit travel time, but at the time of the review, CAT did not require Teleride drivers to record departure times on their manifests. The review team calculated actual Teleride travel times, using the actual pickup time at the pickup point and the drop-off time at the destination for each trip from vehicle manifests. The review team eliminated duplicate trips, leaving 23 trips in the final sample.

During the on-site review, CAT fixed route dispatchers and transit service staff developed comparable fixed route itineraries for the sample trips, which the review team used to estimate the comparable fixed route travel time. Each estimate included:

- Travel time on each bus route
- Transfers (waiting time) for multi-route trips (included in fixed route on-board time)
- 20 minutes per trip to account for estimated walking time at each end (and between routes in the middle of the trip, as necessary), using an estimated speed of 3 miles per hour (20 minutes per mile)

Table 9.4 compares the paratransit and fixed route travel times for the 23 trips for which fixed route itineraries were developed. For each Teleride paratransit trip, the table shows the origin and destination, the actual arrival time at the pickup location and arrival at the drop-off location as recorded on the vehicle operator manifests, and the actual total paratransit travel time. The table then shows the fixed routes that would be used to connect the same origin and destination, the number of transfers involved, a calculation of travel time onboard the buses, an estimate of walking time to the bus stop(s), and a calculation of total fixed route travel time.



Table 9.3 – Comparison of Fixed Route and Paratransit Travel Times

ADA Paratransit Trip		Paratransit Travel Time				Fixed Route Equivalent					Paratransit Travel Time – FR travel time (mins)
Trip #	Pickup /Drop-off Address	Actual Pickup	Actual Drop-off	Actual Ride Time	Actual Ride Time (mins)	Itinerary (routes/transfer)	Start/End Times	On-board Time (mins)	Walk/Wait Time (mins)	Total FR Travel Time	
1	7200 Vamadoe Drive 300 Olmstead Place, Garden City	9:58 a.m.	11:01 a.m.	1:03	63	11 Chandler 3A Augusta Avenue/Garden City 1 Transfer	9:45 a.m. 11:30 a.m.	105	20	125	-62
2	100 W Anderson Street 12500 White Bluff Road	12:45 p.m.	1:50 p.m.	1:05	65	12 Henry 14 Abercorn 13 Coffee Bluff 2 transfers	1:07 p.m. 2:44 p.m.	97	20	117	-52
3	14100 Abercom Street 200 Eagle Street	5:55 p.m.	6:69 p.m.	1:04	64	14 Abercorn 3A Augusta Avenue/Garden City 1 transfer	6 p.m. 7:35 p.m.	95	20	115	-51
4	300 Canebrake Road 900 Abercom Street	8:15 a.m.	9:20 a.m.	1:05	65	17 Silk Hope/Savannah Mall 14 Abercorn 1 transfer	8:05 a.m. 9:28 a.m.	83	20	103	-38
5	500 E 63 <sup>rd</sup> Street 700 Penn Waller road	12:36 p.m.	1:37 p.m.	1:01	61	11 Chandler 24 Savannah State/Wilmington Island 1 transfer	12:15 p.m. 1:30 p.m.	75	20	95	-34
6	700 W 45 <sup>th</sup> Street 7200 Varnadoe Drive	7:25 a.m.	8:33 a.m.	1:08	68	25 MLK Jr. Blvd/West Lake 11 Chandler 1 transfer	7:25 a.m. 8:40 a.m.	75	20	95	-27

ADA Paratransit Trip		Paratransit Travel Time				Fixed Route Equivalent					Paratransit Travel Time – FR travel time (mins)
Trip #	Pickup /Drop-off Address	Actual Pickup	Actual Drop-off	Actual Ride Time	Actual Ride Time (mins)	Itinerary (routes/transfer)	Start/End Times	On-board Time (mins)	Walk/Wait Time (mins)	Total FR Travel Time	
7	1800 Arcadian Street 400 Bonaventure Road	8:03 a.m.	9:07 a.m.	1:04	64	25 MLK Jr. Blvd/west lake 10 East Savannah 1 transfer	8:15 a.m. 9:20 a.m.	65	20	85	-21
8	200 Drayton Street 200 Port Royal Drive	3:30 p.m.	4:37 p.m.	1:07	67	24 Savannah State/Wilmington Island 0 transfers	3:55 p.m. 5 p.m.	65	20	85	-18
9	5700 White Bluff Road 100 S Carolan Street	4:10 p.m.	5:19 p.m.	1:09	69	4 Barnard #A Augusta Avenue/Garden city 1 transfer	12:13 p.m. 1:20 p.m.	67	20	87	-18
10	100 Cornwall Street 5300 Montgomery Street	9:39 a.m.	10:48 a.m.	1:09	69	29 West Gwinnett/Cloverdale 2 Barnard 1 transfer	9:43 a.m. 10:50 a.m.	67	20	87	-18
11	2800 Williams Street 7200 Garfield Street	3:40 p.m.	4:43 p.m.	1:03	63	12 Henry 31 Skidaway/Sandfly 1 transfer	4 p.m. 5 p.m.	60	20	80	-17
12	100 laurel Green Court 100 Minis Avenue	7:40 a.m.	8:44 a.m.	1:04	64	17 Silk Hope/Savannah Mall #B Augusta Avenue/Garden City 1 transfer	7:40 a.m. 8:40 a.m.	60	20	80	-16
13	4500 Paulson Street 300 Tibet Avenue	9:20 a.m.	10:23 a.m.	1:03	63	11 Chandler 14 Abercorn 1 transfer	9:21 a.m. 10:20 a.m.	59	20	79	-16

ADA Paratransit Trip		Paratransit Travel Time				Fixed Route Equivalent					Paratransit Travel Time – FR travel time (mins)
Trip #	Pickup /Drop-off Address	Actual Pickup	Actual Drop-off	Actual Ride Time	Actual Ride Time (mins)	Itinerary (routes/transfer)	Start/End Times	On-board Time (mins)	Walk/Wait Time (mins)	Total FR Travel Time	
14	1500 E. Victory Drive 5700 White Bluff Road	11:30 a.m.	1:12 p.m.	1:42	102	31 Skidaway/Sandfly 4 Barnard	11:19 a.m. 12:40 p.m.	81	20	101	+1
15	4100 6 <sup>th</sup> Street, Garden City 1600 Barnard Street	8:20 a.m.	10 a.m.	1:40	100	27 Waters Road 4 Barnard 1 transfer	8:15 a.m. 9:40 a.m.	85	20	105	+5
16	1500 E. Victory Drive 1000 Gooze Street	10:45 a.m.	11:52 a.m.	1:07	67	12 Henry 29 West Gwinnett/Cloverdale 1 transfer	11 a.m. 11:35 a.m.	35	20	55	+12
17	4600 Meadow Avenue 1500 E. Victory Drive	9:18 a.m.	10:26 a.m.	1:08	68	25 MLK Jr. Blvd/West Lake 12 Henry 1 transfer	9:27 10	33	20	53	+15
18	7200 Sallie Mood Drive 3700 Montgomery Street	5 p.m.	6:05 p.m.	1:05	65	31 Skidaway/Sandfly 4 Barnard	5:12 p.m. 5:40 p.m.	28	20	48	+17
19	1800 Lincoln Street 1000 Chevis road	4:25 p.m.	6:30 p.m.	2:05	125	14 Abercorn 6 Cross-town 1 transfer	4:30 p.m. 5:57 p.m.	87	20	107	+18
20	1200 Eisenhower Drive 2000 Louisville Road	3:11 p.m.	4:30 p.m.	1:19	79	28 Waters Road 3A Augusta Avenue/Garden City	3:20 p.m. 4:00 p.m.	40	20	60	+19
21	400 Bonaventure Road 1400 E. 33 <sup>rd</sup> Street	1:55 p.m.	3:08	1:13	73	10 East Savannah 27 Waters Road 1 transfer	1:55 p.m. 2:25 p.m.	30	20	50	+23
22	2800 Williams Street	3:28 p.m.	4:38 p.m.	1:10	70	12 Henry	3:35 p.m.	27	20	47	+23

ADA Paratransit Trip		Paratransit Travel Time				Fixed Route Equivalent					Paratransit Travel Time – FR travel time (mins)
Trip #	Pickup /Drop-off Address	Actual Pickup	Actual Drop-off	Actual Ride Time	Actual Ride Time (mins)	Itinerary (routes/transfer)	Start/End Times	On-board Time (mins)	Walk/Wait Time (mins)	Total FR Travel Time	
	700 W. 52 <sup>nd</sup> Street					4 Barnard 1 transfer	4:02 p.m.				
23	4100 1 <sup>st</sup> Street 5300 Montgomery Street	9:42 a.m.	10:47 a.m.	1:05	65	3A Augusta Ave/Garden City 4 Barnard 1 transfer	9:50 am 10:07 am	17	20	37	+28
<b>Averages</b>					72			60	20	82	

The right-hand column of the table compares the Teleride paratransit travel time with CAT fixed route travel times. A minus sign indicates that the Teleride travel time would have been less than the estimated fixed route travel time.

As shown, the average travel time for this sample of long paratransit trips was 72 minutes. The average travel time for the comparable fixed route trips was 82 minutes, which includes ride time on the bus and an estimate of walking time to and from the bus stops.

Nineteen of the fixed route trips required one transfer and three trips required two transfers. One trip did not require a transfer.

Ten of the 23 itineraries (43 percent) had paratransit travel times that were longer than the comparable fixed route travel time. The differences in travel time between Teleride and CAT fixed route services ranged from 1–28 minutes, with an average of 23 minutes. The remaining 13 paratransit trips (57 percent) would have taken more travel time using fixed route services, by an amount that ranged from 16–62 minutes, with an average of 30 minutes.

Three of the 23 Teleride paratransit trips with travel times of 61 minutes or more (13 percent) had travel times that exceeded the estimated fixed route travel time for the same trip by 20 minutes or more. If this analysis from the sample week were applied to the service as a whole, it would appear that less than one percent of Teleride trips have travel times that are not comparable to fixed route trips.

Several addresses, including dialysis centers, human services agencies, and nonprofit organizations appeared multiple times on the list of long trips during the sample week. This suggests that riders to these destinations, whose individual trip requests were grouped together and placed on a Teleride run, may experience a pattern or practice of trips with excessive trip length. CAT should direct Teleride to regularly examine scheduled runs to identify riders who regularly experience long travel times and report that data. A policy and procedure on monitoring Teleride performance is needed.

## 9.7 Findings

1. At the time of the review, both CAT and its contractor were uncertain as to the methodology by which on-time performance was calculated and could not verify whether the performance reports provided to the review team included pickups only or both pickups and drop-offs. The performance report on drop-offs provided to the review team was inaccurate, as it compared actual drop-off times to the scheduled drop-off times, rather than comparing the actual drop-off time to the drop off times requested by riders. If the same methodology was used to generate the performance reports for pickups, that performance data would be inaccurate as well. CAT must direct Teleride to compare the actual pickup times to the pickup times requested by riders and must monitor Teleride performance to determine whether a pattern or practice of significantly untimely trips for initial or return trips exists, which would constitute a prohibited capacity constraint under §37.131(f)(3)(i)(A) of the DOT ADA regulations. FTA requests copies of the directive(s) and CAT's plan for monitoring the performance of Teleride service.



2. At the time of the review, it appeared that CAT did not require Teleride to regularly measure or report on-time performance, and the frequency with which CAT monitored on-time performance of Teleride service was unclear. For the sample week, CAT was on time for only 47.6 percent of the sampled trips. (If trips with pickups that occurred prior to the start of the pickup window, 45.6 percent, are included, this increases to 93.2percent; however, passengers cannot be compelled to begin their trips early and on-time performance should not be dependent upon a portion of substantially early pickups.) The extremely high percentage of pickups before the beginning of the window, coupled with the fact that CAT’s no-show suspension policy did not require Teleride to arrive within the pickup window, suggest that riders may have felt pressured to board the vehicle early. These on-time performance levels suggest the existence of a capacity constraint in violation of §37.131(3)(i)(A). CAT must develop a plan to review operational practices and identify ways to increase on-time performance for Teleride pickups within the pickup window. As part of CAT’s response to this finding, FTA also requests CAT’s current performance standards for Teleride.
3. At the time of the on-site review, CAT had neither a definition for a trip missed by Teleride, a standard for missed trips that its contractor was not to exceed, nor the ability to determine whether a trip had been missed by Teleride. Review team observations suggested that the Teleride dispatcher relied on customers and drivers using their personal cell phones to report problems with schedules and on-time performance. FTA is concerned that CAT was therefore unable to determine whether Teleride riders experienced patterns or practices of significantly untimely trips or substantial numbers of missed trips, either of which would constitute a prohibited capacity constraint under §37.131(f)(3)(i)(A) and (B). To meet the requirements under §§37.125(h)(1)—(h)(3) and §37.131(f)(3)(i)(B) of the DOT ADA regulations, CAT must develop a definition of a Teleride “missed trip,” which must include any attempted pickup after the end of the pickup window that does not result in a passenger being transported. If Teleride does not arrive within the pickup window, the rider has no obligation to wait for the vehicle and is under no obligation to board the vehicle. As part of its response to this finding, CAT must create a written policy defining a trip missed by Teleride, a performance goal for zero missed trips and a plan for monitoring Teleride performance against this goal. Provide copies to FTA.
4. At the time of the review CAT did not monitor Teleride performance to ensure that travel times were not excessive nor had established standards for travel time on-board Teleride. Review team analysis suggested that riders to certain destinations whose individual trip requests were grouped together and placed on a Teleride run experienced a pattern or practice of trips with excessive trip length. To meet its obligations under §37.131(3)(i)(C), an explicit policy is needed describing how CAT defines and monitors comparability for all Teleride trips, including individual trip requests which CAT chooses to group. Direct Teleride to regularly examine scheduled runs to identify riders who regularly experience long travel times and report that data to CAT. As part of CAT’s response to this finding, please provide copies of the policies, procedures and directive(s) to FTA.

5. At the time of the review, CAT's no-show suspension policy did not appear to make distinctions between no-shows within a rider's control, those due to circumstances beyond the rider's control and those due to system error. To meet its obligations under §37.125(h)(1)- h(3) of the DOT ADA regulations, CAT must revise its no-show suspension policy as follows:

- The length of the proposed suspension must be specified and must be reasonable.
- No-shows that are due to circumstances beyond the rider's control will not be used as a basis for determining that a pattern or practice of missing scheduled trips exists.
- No-shows will not be charged if the vehicle arrives early and departs prior to the start of the passenger's pickup window.
- No-shows will not be charged if the vehicle arrives outside of the pickup window and the rider elects not to board.
- The policy must account for the riders' frequency of use, to ensure that suspensions are imposed only in the case of a pattern or practice of missing scheduled trips and not isolated accidental or singular incidents. The *Handbook* did not mention a pattern or practice of no-shows.
- Permanent suspension and financial penalties must both be removed.
- CAT's public information must be revised to reflect the new policy and to clarify which eligible riders will receive a letter of concern.
- The policy must include a stay of the suspension pending the outcome of an appeal.

As part of CAT's response to this finding, submit the revised policy and public information for review.

6. To meet its obligations under §37.125(h)(3), CAT must establish an appeals process and make it available to an individual on whom sanctions have been proposed. The appeals process must meet the requirements of §37.125(g) and be free of the procedural flaws discussed in findings #6 and #7 in section 6.5 of this report.
7. CAT's failure to monitor Teleride performance prevented CAT from determining whether the contractor was meeting its contractual obligation to drop off customers within 30 minutes before an appointment; in addition, Teleride scheduled some drop-offs later than the riders' appointment times or scheduled pickups for return trips at times which required riders to leave appointments early. These practices, CAT's lack of monitoring and poor on-time performance indicated the existence of capacity constraints. CAT has an implicit obligation to get riders to appointments on time (not late) and an explicit obligation to monitor performance to insure that Teleride service is operated without any operational pattern or practice that significantly limits the availability of service to ADA paratransit eligible persons. If operational practices cause riders to arrive late to appointments and riders are discouraged from using the service as a result, this would constitute a capacity constraint prohibited by the DOT ADA regulations. Thirty-three percent of the sampled trips arrived after the appointment time. Capacity constraints were still indicated, even after taking the observed practices of Teleride schedulers (discussed in Chapter 9 of this report) into

account; the percentage of late arrivals was still 11.1 percent (one of every nine trips). CAT must monitor performance of Teleride; direct Teleride to honor riders' appointment times; direct Teleride to cease these scheduling practices; require Teleride to track, measure, review and report drop-off performance for all trips with a requested appointment times; and direct Teleride to print the appointment times on driver manifests for all trips with a requested appointment time. As part of CAT's response to this finding, please provide copies of the directive(s) to FTA.

## 9.8 Recommendations

1. Separate on-time performance information for pickups and drop offs.
2. It is recommended that CAT consider raising its goal for Teleride on-time performance. At the time of the on-site visit, CAT had a target of on-time performance for Teleride trips of 90 percent for "observed trips on time" with a 0/+30 pickup window. At the time of the review, CAT's drop-off window for Teleride trips with requested drop-off or appointment times was -30/0. Compared to other ADA paratransit operations, 90 percent is a low target for a pickup window of 30 minutes.
3. Review operational practices to reduce the number of Teleride drop-offs that are more than 30 minutes ahead of the requested appointment time, as drop-offs, in keeping with CAT's policy at the time of the review. These very early arrivals may be a concern for riders dropped off at a location that may not be open that far in advance of an appointment. As discussed in Chapter 9 and shown in Table 9.2, ten out of the 72 trips, (13.9 percent), had drop-off times more than 30 minutes ahead of the requested drop-off time. Nine of the 10 trips had arrival times between 31-60 minutes early and the remaining one arrived more than 60 minutes prior to the appointment time. If Teleride schedulers consistently backed off the appointment time in RouteMatch by 15 minutes, then a rider who was dropped off 30 minutes early would have actually been dropped off 45 minutes early. The resulting proportion of arrivals more than 30 minutes prior to the appointment time would be 47.2 percent.
4. It is recommended that CAT's standard for Teleride trip length be no greater than 20 minutes in excess of the comparable fixed route travel time, including transfers. The additional 20 minutes accounts for estimated walking time to and from fixed route stops and stations and wait time at stops and stations.
5. Utilize RouteMatch's capabilities to schedule Teleride trips during the initial call.
6. Consider installing an automated vehicle location system. At the time of the review, the dispatch staffing of two to three was sufficient for a peak fleet of fewer than 20 vehicles. However, given the responsibilities of taking trip requests, scheduling, and dispatching, at busy times the staffing may not be sufficient to handle the tasks. Dispatchers did not proactively look ahead in the schedules to avert future late trips and generally relied on drivers and riders to alert them of problems with the schedules. It is recommended that CAT develop operational procedures and direct dispatchers to track the on-time performance of all routes on a periodic basis, for

- example at least once per hour, to avert to avert future late trips rather than relying on drivers and riders to alert dispatchers to problems with the schedules.
7. It is recommended that CAT develop a policy or procedure directing the dispatcher to attempt to locate the rider during the 5 minute grace period. At the time of the on-site visit, Dispatchers appeared to follow CAT's policy for declaring rider no-shows. After a driver radioed a dispatcher that he or she could not locate a rider, the dispatcher approved the no-show or not ready before the driver could proceed. CAT's policy did not require the dispatcher to call to try to locate the rider before approving the no-show and review team observations reflect that dispatchers did not attempt to locate the passenger.
  8. When CAT improves telephone system capacity, consider allowing riders to call to contest an individual no-show in case the no-show could be resolved immediately, rather than permitting riders to contest individual no-shows only by appealing to the full appeal committee.
  9. Once CAT establishes the requisite appeal process, consider providing at least fifteen days advance notice between receipt of the letter setting forth the proposed suspension of service and the start date of the suspension to afford the rider the opportunity to appeal the proposed suspension.
  10. In cases when paratransit travel times are not comparable to fixed route travel times, direct Teleride to break those runs into smaller segments. Several addresses, including dialysis centers, human services agencies, and nonprofit organizations appeared multiple times on the list of long trips compiled by the review team during the sample week. This suggests that riders to these destinations whose individual trip requests were grouped together and placed on a Teleride run may experience a pattern or practice of trips with excessive trip length.

## 10. Resources

Section 37.131(f) of the DOT ADA regulations prohibits operational patterns or practices that significantly limit the availability of service to ADA paratransit eligible riders. The review team examined the resources made available by CAT to provide ADA complementary paratransit service including:

- Consumer comments and complaints on driver performance and vehicle condition
- Information on the vehicle fleet
- Number of drivers and tenure/turnover
- Availability of vehicles and drivers to cover scheduled runs
- Operating budget for the service and the process used to estimate funding needs
- The review team also compared CAT's paratransit ridership in its service area with ridership in other systems, using a national paratransit demand model.

### 10.2 Consumer Comments

The review team conducted 11 interviews with Teleride riders or persons familiar with customer issues. Three individuals specifically referred to resource issues. One believed that Teleride

“suffers from a poor administrative design with only one contractor and budget constraints.” Two individuals cited the old vehicles used for Teleride service. One of these two also said that she believed that Teleride needed more vehicles.

## 10.3 Vehicle Fleet

### Vehicle Age and Condition

At the time of the on-site review, CAT’s fleet for Teleride service consisted of 19 body-on-chassis vans, each with a capacity for two individuals who use wheelchairs and 10 other passengers. CAT owned 10 of these vehicles: eight were model year (MY) 2006 and two were MY 1998. First Transit owned nine vans: two MY 1999, three MY 2000, one MY 2001, one MY 2002, and two MY 2008. At the time of the review nine of the vehicles were at least seven years old. Eight vans had odometer readings above 250,000 miles. CAT and Teleride staff were aware of the aging fleet. CAT anticipated delivery of six new vans in February 2010.

### Vehicle Availability and Spare Ratios

Due the age and condition of the fleet at the time of the review, CAT was having trouble meeting its peak fleet requirements. During FY 2009, CAT regularly had only 12–13 of its 19 vehicles available. CAT was frequently leasing sedans on a daily basis, as well as using two sedans owned by First Transit. During some weekdays in FY 2009, CAT had no available spare vehicles. On other weekdays, the First Transit sedans were the only backups.

On occasion, CAT had to eliminate routes due to lack of vehicles; the trips originally assigned to those routes had to be spread among other routes. On other occasions, routes would start late due to lack of vehicles. The use of sedans meant less flexibility in scheduling. All of these issues could certainly lead to riders being discouraged from using Teleride because of the resulting poor schedules and poor on-time performance.

## 10.4 Driver Availability and Turnover

At the time of the on-site review, CAT had had 19 Teleride full-time and four part-time drivers, with one open full-time position. This is a low number of drivers for peak service of 16 routes. At the time of the review, dispatcher mentioned that when a driver calls in sick, they usually call in a driver who has a day off. A dispatcher or supervisor may cover a single trip or a portion of a route, typically for a few hours in the morning, until a driver arrives. Overall, Teleride driver staffing has the potential to be a constraint to service. At the time of the review, the condition of the vehicle fleet was a more significant issue.

Of the 23 drivers, three had been with CAT for less than 1 year at the time of the review. Five drivers had more than 5 years of experience. The driver turnover rate had been low for the past two years. Excluding drivers that had left within a month of hiring, none had left in the 12 months prior to the on-site review; four drivers had left in the 12 months prior to the site visit.

## 10.5 Run Coverage

At the time of the review, primarily due to vehicle shortages, CAT could not cover its peak Teleride runs. The review team analyzed the fleet use on a sample day: Monday, December 7, 2009. As shown in Table 10.1, to cover the peak fleet needs of 16 vehicles, CAT had to use three leased sedans and one First Transit sedan. Other than a second First Transit sedan, there were no

spare vehicles available. CAT used three of its revenue vehicles for two shifts, each for 16 or more hours.

**Table 10.1 – Teleride Fleet: December 7, 2009**

<b>Vehicles</b>	<b>Available</b>	<b>Peak Use</b>	<b>Spare</b>
Teleride Vehicles	12	12	0
Leased sedans	3	3	0
First Transit sedans	2	1	1
Peak Fleet requirement		16	

Seven vehicles were not available

The vehicle shortage was the primary concern and tight driver staffing was a secondary cause for CAT potentially not covering Teleride’s scheduled routes. During the on-site review, CAT’s Finance Director said that CAT was expecting delivery of six new vans in February 2010. When CAT procured these vans, it intended to use them as replacements for the oldest vehicles. Given the vehicle shortage, CAT was planning to keep the older vehicles as backups.

## 10.6 Other Resources

At the time of the on-site review, CAT’s office staff for Teleride included one administrative assistant, four full-time dispatchers/schedulers, and two part-time dispatchers. For 6 days per week, two to three of the dispatchers and schedulers were on duty from early morning until the end of the afternoon peak. There appeared to be sufficient office staff for the size of CAT’s Teleride operation. When Teleride’s operations grow and when capacity constraints discussed in this report are addressed, additional schedulers and dispatchers would be required and responsibilities might have to be reallocated, such as dedicating certain staff members to reservations.

At the time of the review the Teleride Administrative Assistant had primary responsibility for the eligibility determination process, reviewing applications and making determinations and no formal training in the ADA eligibility determination process. As the fixed route operator, CAT has the ultimate responsibility for the eligibility determination process and determinations.

CAT and Teleride would likely benefit from further training in using RouteMatch to take advantage of features CAT staff was not using at the time of the review. As discussed earlier in this report, the ability to confirm pickup times and relay them to riders at the time of their initial call would improve service provision. RouteMatch and other paratransit software packages have this capability. The schedulers could also make use of software features that alert them to scheduling violations with respect to the requested pickup and drop-off times. Schedulers would still have the ability to override the scheduling parameters and manually allow the violations in the schedules.

Real-time vehicle tracking for the dispatchers was not in place at the time of the review. Were CAT to install MDTs and automatic vehicle location (AVL) systems in Teleride vehicles, their functionality could be integrated with RouteMatch or other paratransit software packages.

At the time of the on-site visit, operating data showed that monthly vehicle productivity, defined as passenger trips per vehicle hour, ranged from 1.7–1.8 until March 2008. Between March 2008 and the on-site review in December 2009, productivity decreased significantly to below 1.3. This coincides with the introduction of RouteMatch. The data also showed that reported on-time

performance increased in the same timeframe: in FY 2007 and FY 2008, reported on-time performance was 88.8 percent and 88.9 percent, respectively. In FY 2009, reported on-time performance was 94.9 percent; for 3 months of FY 2010, on-time performance was reported at 92 percent. At the time of the review, neither CAT managers nor Teleride staff appeared to be aware of this trend. Were CAT and Teleride staff to use more of the features of RouteMatch or other paratransit software, it would be easier to understand the various scheduling parameters and make appropriate adjustments.

The review team also noticed the crowded and sometimes noisy office that the schedulers/dispatchers occupied at the time of the review. It would be helpful to have two work spaces to reduce noise, allocating one area to the schedulers when they are focusing on that task.

## 10.7 Planning, Budgeting, and Funding

### Operating Budgets

CAT’s Fiscal Year runs from July 1–June 30. The Finance Director provides the preliminary available budgets to CAT department directors in January. The proposed budget figures for the coming fiscal year are presented to the CAT board in April with planned approval by May.

At the time of the on-site review, CAT contracted with First Transit to provide Teleride service. The contract was primarily based on reimbursing First Transit for vehicle hour provided. In FY 2009, the reimbursement rate was \$49.77 per hour for the first 2,900 hours each month. For additional vehicle hours provided each month, the reimbursement rate was \$30.00 per hour. In FY 2009, First Transit provided 48,942 vehicle hours an average of 4,079 per month, exceeding 2,900 vehicle hours in all months.

At the time of the review, CAT’s Budget Director said that the Teleride budget was based on an estimate of vehicle hours for the coming fiscal year. No detailed analysis of any ridership trends was available.

Table 10.2 presents Teleride budgets, actual expenditures, ridership, along with the CAT budget for FY 2007–2009. The large increase between FY 2008 and FY 2009 Teleride actual expenditures was primarily due to a large increase in vehicle hours from the FY2008 monthly average of 3,219.

**Table 10.2 – Teleride Expenditures and Ridership and CAT Total Operating Budget (FY 2007–2009)**

	FY 2007	FY 2008	FY 2009
Overall CAT Budget	\$16,263,850	\$15,309,339	\$14,535,634
Teleride Budget	\$1,414,760	\$1,415,000	\$1,596,914
Teleride Actual Expenditures	\$1,450,709	\$1,498,867	\$1,961,789
Teleride Ridership	68,120	66,599	61,943

As shown in Table 10.2, actual expenditures for Teleride exceeded the Teleride budgets for all three fiscal years. This indicated that CAT had been willing to spend additional funds for Teleride for what it perceived was the level of service demanded—even as CAT’s overall budget decreased over the same period.

## Capital Budget

In the three years leading up to the on-site review, CAT had made no capital expenditures for Teleride.

As mentioned above, CAT was expecting delivery of six new vans in February 2010. Prior to this procurement, the newest vehicles owned by CAT for Teleride service were MY 2006.

## 10.8 Ridership

CAT's ADA complementary paratransit Teleride ridership in FY 2009 was 61,943. For the first three months of FY 2010, Teleride ridership was 14,694, an increase of 11.9 percent compared the same period in FY 2009. This would project to a full year ridership of 69, 291.

To determine how this level of ridership compares with other transit agencies, the review team used a national ADA complementary paratransit ridership model to estimate the predicted ADA complementary paratransit ridership in the CAT's ADA complementary paratransit service area.

The model developed by the Transportation Cooperative Research Program (TCRP) and detailed in *TCRP Report 119, Improving ADA Complementary Paratransit Demand Estimation*, used data from 28 transit systems across the country to model ADA complementary paratransit demand. The model estimates ADA complementary paratransit demand based on the population of the service area, the base fare charged, the percentage of the population with household incomes below the poverty level, the effective window used to determine on-time performance, the percentage of applicants found conditionally eligible, and whether conditional and trip-by-trip eligibility is used.

To estimate demand for the CAT ADA complementary paratransit area using this national model, the review team used the following data:

Service area population:	208,886 (2000 U.S. Census data)
Base ADA complementary paratransit fare:	\$1.80
Service area poverty rate:	11.0 percent (U.S. census data)
Conditional eligibility rate:	0 percent
On-time window:	30 minutes
Trip-by-trip eligibility:	not used

Using these factors, the TCRP model estimated the annual demand for ADA complementary paratransit service for Teleride to be 360,704 one-way trips. This is more than five times higher than Teleride's FY 2010 projected ridership. A copy of the summary page from the model showing the estimation for the CAT's ADA complementary paratransit area is provided in Attachment F.

## 10.9 Findings

1. There were no findings of non-compliance requiring corrective action in Chapter 10 of this report. See below for recommendations.



## 10.10 Recommendations

1. Develop a fleet management plan for Teleride vehicles that ensures their timely replacement. It is recommended that CAT continue to obtain new vehicles and additional new accessible vehicles to meet CAT's peak fleet needs for Teleride service and provide a reasonable spare ratio for a fleet of its size. A spare ratio of at least 20 percent is recommended.
2. Do not use either leased or contractor-owned sedans on a regular basis, unless they are part of a fleet plan approved by CAT.
3. It is recommended that CAT hire additional drivers so that the staffing level does not become a capacity constraint. At the time of the review, CAT had 19 full-time and four part-time drivers for Teleride, with one full-time position open. This is a low number of drivers for peak service of 16 routes and has the potential a potential to become a capacity constraint.
4. Be prepared to increase Teleride service to meet future demand as service improves and as capacity constraints are eliminated. A national model developed by the Transportation Cooperative Research Program (TCRP) estimated that the annual demand for Teleride service to be 360,704 one-way trips. This is more than five times higher than Teleride's FY 2010 projected ridership.

**Attachment A**  
**CAT Response to Draft Report**



September 21, 2012

Federal Transit Administration  
Office of Civil Rights  
John Day, ADA Team Leader  
East Building, 5<sup>th</sup> Floor TCR  
1200 New Jersey Avenue SE  
Washington, DC 20590

**RE: CHATHAM AREA TRANSIT (CAT) RESPONSE LETTER  
FTA – PARATRANSIT AUDIT**

Dear Mr. Day,

This letter provides information concerning the above referenced. Chatham Area Transit Authority (CAT) received a letter from the Federal Transit Administration (FTA) dated September 12, 2012 concerning CAT's Paratransit Service Review conducted in December, 2009. This letter provides a response to the two questions outlined in referenced letter.

- **Provide the name and contact information for the public official or city or county agency responsible for overseeing the Delegated Management Agreement (DMA) between CAT Board and Veolia.**

**Response:** *Michael A. Kaigler, Director  
Human Resources and Services  
124 Bull Street, Suite 310  
Savannah, Georgia 31401  
Phone: (912) 652-7928  
Fax: (912) 652-7849  
[mkaigler@chathamcounty.org](mailto:mkaigler@chathamcounty.org)*

- **Rather than responding to specific findings in the draft report at this time, instead, we ask that your comments only correct any material statements of fact made about CAT's operations at the time of the review that you believe to be in error, and provide any necessary updates on substantive changes to Teleride paratransit operations and/or service model.**

**Response:**

*Substantive update should be made to page 84 of the draft report to the status of the Board's DMA with Veolia at the time of the on-site, visit which states: "CAT supplied information that at least suggested that the "management of all transit system*

*functional responsibilities including operations, maintenance, and scheduling responsibilities had been transferred to Veolia prior to the review team's visit."*

**Correction:**

*Management of all transit system functional responsibilities including operations, maintenance, and scheduling responsibilities will transfer from First Transit to Chatham Area Transit Authority on January 1, 2010. The CAT Board approved a Veolia Transportation management agreement effective March 1, 2009. This agreement stipulated that there would be an initial period for Interim Management Services for a period of 180 days following which the Delegated Management portion of the agreement began.*

We are hopeful this addresses the questions outlined in your letter. We look forward to working with the FTA to improve our paratransit system for Chatham Area Transit Authority. Should you have further questions, please feel free to contact Chadwick Reese, Executive Director of CAT. Dr. Reese can be reached at 912-629-3914 or via email at [chadwick.reese@catchacat.org](mailto:chadwick.reese@catchacat.org).

Sincerely,



Pete Liakakis, Chairman

Enclosures

Cc: Dr. Chadwick Reese, CAT  
Susan Clark, Equal Opportunity Specialist, FTA Civil Rights  
Carlos Gonzalez, Regional Civil Rights Officer, FTA Region 4

**Attachment B**  
**FTA Notification Letter**



U.S. Department  
Of Transportation  
**Federal Transit  
Administration**

Headquarters

East Building, 5<sup>th</sup> Floor, TCR  
1200 New Jersey Ave., SE  
Washington, D.C. 20590

October 29, 2009

Mr. Charles Odingbe  
Executive Director  
Chatham Area Transit  
900 E. Gwinnett Street  
P.O. Box 9118  
Savannah, GA 31412-9118

Dear Mr. Odingbe:

The Federal Transit Administration (FTA) is responsible for ensuring compliance with the Americans with Disabilities Act of 1990 (ADA) and the Department of Transportation's (DOT) implementing regulations at 49 CFR Parts 27, 37, and 38, as they relate to public transportation. As part of our ongoing oversight efforts, FTA's Office of Civil Rights conducts a number of on-site compliance reviews of ADA complementary paratransit services. Chatham Area Transit (CAT) has been selected for such a review. The focus of the review will be CAT's compliance with the six paratransit service criteria outlined in the DOT ADA regulations at 49 CFR § 37.131.

The overall review process will consist of the collection of data prior to the visit, an opening conference, an on-site review of CAT's paratransit service, and an exit conference. The entire on-site portion of the review will be completed within four days. FTA has engaged the services of Planners Collaborative, Inc. (PCI), of Boston, MA, assisted by TranSystems of Medford, MA to conduct the compliance review. Representatives of PCI and TranSystems and FTA will participate in the opening and exit conferences. Ms. Susan Clark, the Program Manager for this compliance review, has already contacted your organization to notify you of the on-site visit and has confirmed **Monday, December 7, 2009**, for commencement of the on-site visit.

We request **9 a.m.** for the opening conference. This will provide an opportunity for an introduction of the FTA representatives and PCI and TranSystems reviewers to members of your organization, including you or your designee, the paratransit service manager, the ADA coordinator, and other key staff. During the opening conference, team members from PCI and TranSystems will present an overview of the on-site review.

Because the members of the review team will be spending considerable time reviewing CAT's paratransit service, it would be helpful if you could provide them with temporary identification to permit easy system access. We also request that you identify a CAT staff contact to coordinate the on-site review and address questions that may arise during the review. In

addition, we request that a work area be made available to the team in the building where the opening and exit conferences take place.

In order that we may properly prepare for the on-site visit, we request that you provide the information outlined in Enclosures 1 and 2. Enclosure 1 consists of items that must be received within 21 calendar days of the date of this letter. These materials should be forwarded to:

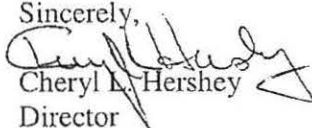
David Chia  
Planners Collaborative, Inc.  
122 South Street  
Boston MA 02111  
617-338-0018 x17  
617-338-4228 fax  
[dc@thecollaborative.com](mailto:dc@thecollaborative.com)

Enclosure 2 consists of items that will be needed at the initiation of the review.

We request that the exit conference be scheduled for **2 p.m. on Thursday, December 10, 2009**. This conference will afford an opportunity for the reviewers to discuss their observations with you and your organization. We request that you or your designee, the CAT paratransit service manager, the ADA coordinator, and other key staff attend the exit conference. Findings will be made by the FTA Office of Civil Rights and provided to you in a written draft at a future date. You will then have an opportunity to provide comments before the report becomes final. When the report is transmitted to CAT in draft form, it will be a public document and subject to the Freedom of Information Act upon request.

CAT staff are welcome to accompany the review team during the review, if you so choose. We welcome your suggestions and encourage your participation in the review by asking questions or commenting on any issues you may feel are relevant. If you have any questions or concerns prior to the opening conference, please contact Susan Clark at 202-493-0511 or at her e-mail address: [sue.clark@dot.gov](mailto:sue.clark@dot.gov). You may also contact David Chia, whose contact information is listed above.

Thank you for your assistance and cooperation as we undertake this process together. We look forward to a meaningful and successful review.

Sincerely,  
  
Cheryl E. Hershey  
Director  
FTA Office of Civil Rights

Enclosures

cc: Yvette G. Taylor, FTA Region IV Administrator  
Frank Billue, FTA Region IV Civil Rights Officer  
Dudley Whyte, FTA Region IV Director of Operations & Program Management  
David Chia, Planners Collaborative, Inc

## Enclosure 1

The following information must be submitted to Planners Collaborative, Inc. **within 20 calendar days from the date of this letter.**

1. A description of how the ADA complementary paratransit service is structured and provided, including:
  - How trip requests/reservations are handled (by a central reservation office? by each carrier?), and the address(es) where reservations are taken.
  - How trips are scheduled (by a central scheduling office? by each carrier?) and the address(es) where scheduling is done.
  - How dispatching is handled (centrally? by each carrier?) and the address of the central dispatch office or the carrier dispatch sites).
2. A copy of the current broker and carrier contract(s), if service is contracted out in part or in total.
3. A copy of your ADA complementary paratransit "Operator Manual" (or copies if each carrier uses their own), and copies of your "Rider Handbook," service brochure, or other document that explains how trips are requested and service is provided.
4. A description of ADA complementary paratransit service standards, including:
  - The on-time performance standards (how is "on-time" defined and what is the goal for their percentage of trips provided within the standard?).
  - What standards have been set regarding acceptable numbers or percentages of trip denials?
  - The travel time standard (what travel time is considered comparable or too long and what is the goal for the percentage of trips provided within this standard?).
5. Telephone call-handling standards (what is the standard for hold time and/or call pickup and what is the goal for their percentage of calls within this standard?).
6. Samples of driver manifests as identified in Item 1 of Enclosure 2 in this correspondence and samples of records or reports or tabulations of the information requested in Item 2 of Enclosure 2.
7. Capital and operating budget and expenditures for ADA complementary paratransit services for the three most recent fiscal years, including the current year.
8. The number of ADA complementary paratransit trips served and trips denied for the three most recent fiscal years, including the current year.
9. Three copies of the system map for fixed route services.



## Enclosure 2

We request that the following information and/or assistance be available at the beginning of the on-site visit.

1. Copies of completed driver manifests for the most recent six-month period (for each carrier).
2. The following ADA complementary paratransit data, by month, for the last six months (paper copies as well as in electronic format, if available):
  - Trips requested
  - Trips scheduled
  - Trips denied
  - Canceled trips
  - No-shows
  - Missed trips
  - Trips provided
  - A breakdown of trips requested, scheduled, and provided by carrier / provider.
  - A listing of trips denied each month showing customer's name, origin, requested destination, day and time, and if the person was ambulatory or uses a wheelchair.
  - On-time performance information (by carrier if there are multiple carriers in the system).
  - List of trips that exceeded 60 minutes showing the customer name, origin, destination, day and time, if the person was ambulatory or uses a wheelchair; and the total time on-board.
  - List of passenger no-shows and carrier missed trips with negotiated pickup times and actual vehicle arrival and departure times
  - Telephone call management records (if available) showing hold times by hourly or half-hourly periods and day, total call volume, calls answered and abandoned.
3. A list of complaints related to ADA complementary paratransit capacity constraints in the past year. The list should include all complaints related to trip denials, trip limits, on-time performance, lengthy trips, phone capacity issues, etc. showing customer's name, trip origin, date and type of complaint, carrier, and resolution (any corrective actions requested and taken).
4. The following eligibility information:
  - Copy of application form
  - Eligibility guidelines and any assessment or interview forms
  - Samples of all letters of determination
  - Other letters related to incomplete applications, appeals, and other eligibility issues
  - Total number of individuals registered for ADA complementary paratransit service
  - Most recent 12 months of data:
    - Applications received
    - Completed applications
    - Unconditional eligibility
    - Conditional eligibility
    - Temporary eligibility
    - Not eligible

- Any documentation and correspondence related to no-show suspensions
  - Access to eligibility files and appeals records
5. Work shift assignments for reservationists (call-takers), schedulers, and dispatchers
  6. Access to personnel records showing date of hire and termination for reservationists (call-takers), schedulers, dispatchers, drivers, and road supervisors
  7. Current paratransit fleet roster with vehicle type, accessible spaces, model year, and odometer reading.
  8. Access to most recent six months of daily vehicle pull-out records showing late pull-outs and closed runs.
  9. Vehicle availability reports for most recent six months.
  10. Copies of vehicle pre-trip inspection form and preventative maintenance form.
  11. Assistance with viewing and capturing parameters used in scheduling software.
  12. Assistance with viewing and collecting data on vehicle run structures and peak pull-out requirements.

**Attachment C**  
**On-Site Review Schedule**

Time	Activity	Who	Where
<b>Monday, December 7, 2009</b>			
9 a.m.	➤ Opening Conference	All	First Transit, 2025 Louisville Rd.
9:30 a.m.	➤ Review information requested and policies & procedures with CAT and Teleride managers	All	
10:30 a.m.	➤ Tour facility	All	
11 a.m.	➤ Review Teleride complaints	Purdy	
	➤ Review budget and resources	Chia	
	➤ Review eligibility process and records	Monahan	
2:30 p.m.	➤ Observe call-takers; record trip request information	Purdy, Chia	
<b>Tuesday, December 8, 2009</b>			
8 a.m.	➤ Review schedules; pull-out and fleet	Chia	First Transit
	➤ Observe call-takers; record trip request information	Purdy, Monahan	
10 a.m.	➤ Review telephone system and performance	Monahan	
	➤ Analyze service area, hours and fares	Purdy	
	➤ Interview scheduler	Chia	
11 a.m.	➤ Interview Drivers	Purdy, Monahan	
1 p.m.	➤ Analyze on-time performance; no-shows	Chia	
	➤ Continue review of Teleride complaints	Purdy	
	➤ Conduct trip length analysis	Monahan	
3 p.m.	➤ Observe dispatch	Chia	
<b>Wednesday, December 9, 2009</b>			
8 a.m.	➤ Observe dispatch	Purdy, Chia	
	➤ Continue eligibility review	Monahan	
10 a.m.	➤ Interview drivers	Purdy, Chia	
11 a.m.	➤ Continue analysis of service criteria	Purdy	
	➤ Continue analysis of on-time performance	Chia	
<b>Thursday, December 10, 2009</b>			
Morning	➤ Complete preliminary data analysis & remaining detail work	All	
	➤ Prepare materials for debriefing session		
2 p.m.	➤ Exit Conference	All	CAT, 900 E. Gwinnett St.

**Attachment D**  
**FTA August 15, 2008 Letter to CAT**



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

Headquarters

East Building, 5<sup>th</sup> Floor – TCR  
1200 New Jersey Ave. S.E.  
Washington, D.C. 20590

August 15, 2008

Joe Murray Rivers  
Interim Executive Director  
Chatham Area Transit  
PO Box 9118  
Savannah, Georgia 31412

Re: ADA Complementary Paratransit Capacity Constraints

Dear Mr. Rivers:

This letter regards Chatham Area Transit's (CAT's) ADA complementary paratransit service, Teleride. The Federal Transit Administration (FTA) Office of Civil Rights is responsible for civil rights compliance and monitoring, which includes ensuring that providers of public transportation properly implement Title II of the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, and the Department of Transportation's (DOT) implementing regulations at 49 CFR Parts 27, 37, and 38.

The DOT ADA regulations at 49 CFR 37.131(f) prohibits capacity constraints in the provision of ADA complementary paratransit service. A capacity constraint is any operational pattern or practice that significantly limits the availability of service to ADA paratransit eligible persons, including a substantial number of trip denials. Section 37.131(b) requires that trips are scheduled and provided 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.

At CAT's website (<http://www.catchacat.org/teleride.aspx>), there is a link titled "Important Information for Teleride Customers." This links to letter dates April 21, 2008 (attached). The letter, on First Transit letterhead, instructs riders that they will be informed when making a reservation that the ride is available or if Teleride is "at capacity for the day requested." The letter adds: "Although we make every effort to service all trips, there are time when it is not possible."

The content of this letter leads FTA to reasonably believe that CAT is not fully complying with all service criteria. Pursuant to 49 CFR 37.135(c)(4), FTA is requiring that CAT provide an annual update to its paratransit plan. This plan must be filed by January 26, 2009, and in each succeeding year until CAT returns to full compliance. Please provide the annual plan to this office, at the address above, as well as to Mr. Frank Billue, FTA Region IV Civil Rights Officer, at:

Mr. Frank Billue  
 Federal Transit Administration  
 230 Peachtree, NW  
 Suite 800  
 Atlanta, GA 30303  
*frank.billue@dot.gov*

In preparing this paratransit plan, please note that several policies as advertised on your website and in the Teleride Policy Handbook dated February 24, 1994 (revised May 14, 2003, and August 18, 2004) are in conflict with DOT's ADA regulations. These include, but are not necessary limited to:

- ❑ The statement that trips reservations are accepted up to 24 hours prior to a trip request. 49 CFR 37.131(b) requires an entity to "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" (emphasis added). Appendix D to Part 37 explains that "'next day scheduling' is different from a system involving a 24-hour prior reservation requirement, in which a caller would have to reserve a trip at 7 a.m. today if he or she wanted to travel at 7 a.m. tomorrow. The latter approach is not adequate under this rule."
- ❑ The requirement that all weekend reservations are made between 8 a.m. and noon on Saturday and Sunday. Section 37.131(b)(1) states that reservations service must be "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 office are not open before a service day." In Teleride's case, reservations should be accepted until 4 p.m. on Saturday and Sunday.
- ❑ Charging a \$5.00 no-show fare for each one-way missed trip. 49 CFR 37.125(h) allows an entity to "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." The rule does not allow for a punitive charge in this situation.
- ❑ Suspending eligibility after three no-shows trip within a twelve month period. Section 37.125(h) only allows for suspension of individuals who "establish a pattern or practice of missing scheduled trips." Consistent with FTA interpretation, three no-shows in a twelve month period would not establish such a pattern.
- ❑ Suspending eligibility for six months. Section 37.125(h) only allows for suspension "for a reasonable period of time." Consistent with FTA interpretation, a six month suspension would not be reasonable.
- ❑ Allowing an individual to appeal a no-show suspension within 35 days. While not in conflict with the DOT ADA regulations, this time period appears arbitrary, and FTA advises revising.

The FTA Office of Civil Rights is authorized under the DOT regulation, 49 CFR Part 27, Subpart C, pertinent sections 27.121-123, to conduct investigations of providers of public transportation whenever information indicates a possible failure to comply. FTA will monitor CAT's compliance and provide assistance as appropriate. If FTA cannot resolve apparent violations of the ADA or the DOT ADA regulations by voluntary means, formal enforcement proceedings may be initiated against the public transportation provider, which may result in the termination of Federal funds. FTA also may refer the matter to the U.S. Department of Justice for enforcement.



2025 Louisville Rd. Unit G Savannah, GA 31415  
Telephone 912-447-5839 Fax: 912-447-0271

April 21, 2008  
Re: Customer notification

To: Our Valued Teleride Clients

As a courtesy you may have noticed that Teleride is now able to inform you if we can accommodate your reservation for the day that you are requesting.

The office will either take your reservation meaning that you will have a ride or the office will politely inform you that we are at capacity for the day requested. The reason for this is to allow you the proper time to seek other means of transportation.

This early notification is much more customer service oriented than informing you the night before your trip, that we cannot service your trip. Although we make every effort to service all trips, there are times when it is not possible.

At this time, as it has always been, a trip can be scheduled from 24 hours to 14 days in advance. Please be aware that scheduling your trip closer to the day of the trip increases Teleride's chances of not being able to accommodate the trip.

It is most beneficial to schedule your trip as soon as you know that you need one.

Teleride is in the process of implementing new software along with policy revisions which will benefit all Clients. We will keep you informed of the changes as they take place.

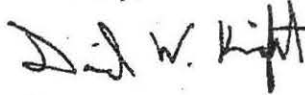
Respectfully,

Teleride



If you have any further questions, please contact Sue Clark, at (202) 493-0511 or at her e-mail address: *sue.clark@dot.gov*. Thank you for your cooperation.

Sincerely,



David W. Knight  
ADA Team Leader  
Office of Civil Rights

cc: Yvette G. Taylor, FTA Region IV Administrator  
Frank Billue, FTA Region IV Civil Rights Officer  
Dudley Whyte, FTA Region IV Director of Operations & Program Management

**Attachment E**  
**Application for Teleride ADA Complimentary**  
**Paratransit**

## TELERIDE - PARATRANSIT APPLICATION

Please print and complete the following Application for Determination of ADA Eligibility, sign your name in the space provided and mail it to:

TELERIDE  
Laidlaw Transit Services, Inc.  
2025 Louisville Road, Unit G  
Savannah, GA 31404

### PART I: General Information

Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Initial \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Date of Birth \_\_\_\_\_ Phone (Day) \_\_\_\_\_ (Night) \_\_\_\_\_

In case of emergency, contact \_\_\_\_\_

Relationship to Applicant \_\_\_\_\_ Phone: (Day) \_\_\_\_\_ (Night) \_\_\_\_\_

### PART II: Please answer the following questions.

01. Do you need written information given to you in a different way?

Large Print  Braille  Audio Tape

Other, please specify: \_\_\_\_\_

02. Language Ability (Check all that apply)

English  Spanish  Other, please specify: \_\_\_\_\_

03. What is the health condition or disability which prevents you from using the CAT bus service? Please list all applicable conditions and/or disabilities. \_\_\_\_\_  
\_\_\_\_\_

04. Is this condition and/or disability temporary? If yes, what is its expected duration? If no, leave blank.

Duration: \_\_\_\_\_ Years \_\_\_\_\_ Months

05. Does your condition/disability change from day to day in ways that affect your ability to use the CAT bus service? If yes, please explain. If no, leave blank. \_\_\_\_\_

06. The disability that prevents me from using CAT buses places me in the following category:

- I need a lift or ramp to board the bus.
- My disability prevents me from getting to the bus stop.
- My disability does not prevent me from riding the CAT bus.

07. Which of the following mobility aids do you use? Check all that apply.

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Cane           | <input type="checkbox"/> Manual Wheelchair             | <input type="checkbox"/> Service Animal      |
| <input type="checkbox"/> White Cane     | <input type="checkbox"/> Powered Wheelchair            | <input type="checkbox"/> Picture Board       |
| <input type="checkbox"/> Crutches       | <input type="checkbox"/> Alphabet Board                | <input type="checkbox"/> Powered Scooter/Car |
| <input type="checkbox"/> Boarding Chair | <input type="checkbox"/> Portable Oxygen               | <input type="checkbox"/> Prosthesis          |
| <input type="checkbox"/> Transfer Board | <input type="checkbox"/> Other, Please describe: _____ |  |

08. If you use a manual or powered wheelchair or scooter, is it more than 30 inches wide, more than 48 inches long, or does it, when in use, weigh more than 600 pounds?

- Yes     No

09. Do you need to travel with someone who assists you?

- Yes     Sometimes     Never

10. If you travel with someone who assists you, does this person assist you in:

- Getting to or from bus stops     Getting on or off the bus  
 Helping me to get where I am going     Other, describe: \_\_\_\_\_

**PART III: Please answer the following questions.**

01. Please explain how your disability prevents you from using the CAT bus service.

\_\_\_\_\_  
\_\_\_\_\_

02. Can you use a telephone to make calls and get information about the CAT bus service?

- Yes     Sometimes     No

If "No" or "Sometimes", please explain: \_\_\_\_\_  
\_\_\_\_\_

03. Are you able to ask for, understand, and follow written or spoken directions either independently or with help of an aid (such as a letter board or bus ID card) ?

Yes  Sometimes  No

If "No" or "Sometimes", please explain: \_\_\_\_\_

04. Are you able to deal with unexpected situations and unexpected changes in routine?

Yes  Sometimes  No

If "No" or "Sometimes", please explain: \_\_\_\_\_

05. Can you (the applicant) recognize landmarks and travel on the transit system independently?

Yes  Sometimes  No

If "No" or "Sometimes", please explain: \_\_\_\_\_

06. Have you ever had any training to learn how to use a regular CAT bus?

Yes  No

If "Yes", the training was at \_\_\_\_\_

07. Using a mobility aid or on your own, how far are you able to travel without the assistance of another person?

Less than 200 feet  Less than 1/4 mile (3 blocks)

Less than 1/2 mile (6 blocks)  More than 3/4 mile (9 blocks)

08. Are you unable to get to or from bus stops without the assistance of another person for any of the following reasons? Check all that apply:

I cannot travel up or down steep hills

I cannot cross busy intersections

I cannot travel in areas without curb cuts or sidewalks

I cannot travel at night due to night blindness

Very cold weather is dangerous to my health

Very hot weather is dangerous to my health

High air pollution is dangerous to my health

Other, Explain: \_\_\_\_\_

\_\_\_\_\_

09. Are you able to wait for a bus at a bus stop?

Yes  No  Sometimes

If "No" or "Sometimes", please check all of the following statements that apply to you:

I can wait only if there is a bench

- I can wait only if there is a shelter
- Waiting outside in very hot weather is dangerous to my health
- Waiting outside in very cold weather is dangerous to my health
- I can wait only if it is not longer than \_\_\_minutes

10. Are you able to get on and off a bus that does not have a lift or ramp?  
Yes No

11. Are you able to get on and off a bus that has a lift? (Please note that persons who do not use wheelchairs but who cannot climb the bus steps are permitted to enter the bus by standing on the lift.)  
Yes No

12. Once inside, can you get to a seat or wheelchair position without assistance?  
Yes No

13. Are there any other reasons why you cannot get on or ride the bus?  
Yes No

If "Yes", please explain: \_\_\_\_\_  
 \_\_\_\_\_

**IDENTIFICATION CARD INFORMATION**

If you are determined eligible for paratransit service by Chatham Area Transit, you are eligible for paratransit service in other cities. In order to use paratransit service in other cities, you must present an identification card showing your eligibility. You do not need an identification card to use Teleride. Would you like Chatham Area Transit to send an identification card to you?

Yes No

**SIGNATURE**

I hereby certify that the information given above is true and correct. I expressly acknowledge that Chatham Area Transit will rely upon the information contained herein in making a determination as to my eligibility to participate in the program. I agree that if any of the information given to Chatham Area Transit is materially false or misleading, Chatham Area Transit shall have the right to reconsider my right to participate in the paratransit program, in addition to pursuing any other right or remedy which Chatham Area Transit may have under the circumstances.

**Applicant's or Person Assisting Applicant's Signature:**

\_\_\_\_\_ **Date** \_\_\_\_\_

If this application has been completed by someone other than the person requesting certification, that person must complete the following:

Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Initial \_\_\_\_\_  
Street Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Relationship to Applicant \_\_\_\_\_ Phone: (Day) \_\_\_\_\_ (Night) \_\_\_\_\_

### REQUEST FOR PROFESSIONAL REFERENCE

In order to allow Chatham Area Transit to evaluate your request for ADA paratransit eligibility certification, it may be necessary to contact a health care or rehabilitation professional for additional information about your disability and ability to use regular bus service. Please complete and sign the following authorization.

Note: It is important that, if possible, you identify a professional who is familiar not only with your particular disability but who also understands your ability or inability to travel on the CAT bus service. This could include:

- a rehabilitation specialist
- an occupational or physical therapist
- an independent living counselor
- a vocational rehabilitation counselor
- a social worker
- a physician or registered nurse
- a psychologist
- a mental health counselor

I authorize the following professional to release to the Chatham Area Transit information about my disability and its affect on my ability to travel which may be needed in connection with my request for ADA paratransit eligibility certification. It is my understanding that the information released will be used solely to determine my ADA paratransit eligibility. I understand that I may revoke this authorization at any time. Unless earlier revoked, this form will permit the professional listed to release the information described until 60 days after the date appearing below.

Name of Professional: \_\_\_\_\_ Title/Profession: \_\_\_\_\_

Street Address: \_\_\_\_\_

City \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone Number: (\_\_\_\_) \_\_\_\_\_

Applicant's Name: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Failure to complete and submit this form will rnder the application incomplete and eligibility will be denied.**

**Attachment F**  
**Draft Paratransit Plan (Excerpts)**



# DRAFT



## THE CHATHAM AREA TRANSIT AUTHORITY

### PARATRANSIT PLAN UPDATE

Pursuant to  
The Americans with Disabilities Act of 1990  
and  
US DOT 49 CFR Parts 27, 37, and 38

JANUARY, 1992

Revisions  
February 28, 1992  
March 19, 1992  
February 27, 2008

**PUBLIC MEETINGS HELD  
ON FEBRUARY 18, 19, and 25, 2009**

To be approved by the Chatham Area Transit Board of Directors  
On February 27, 2009

To be endorsed by the Chatham Urban Transportation Study Committees:

Advisory Committee on Accessible Transportation  
on February 18, 2009

Technical Coordinating Committee  
on February 19, 2009

Citizens Advisory Committee  
on February 19, 2009

Policy Committee  
on February 25, 2009

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Appendix H August 2008 Letter of Non-compliance from FTA to CAT  
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## SECTION I EXECUTIVE SUMMARY

The Americans with Disabilities Act (ADA) was signed into law by President Bush on July 26, 1990 and the U.S. Department of Transportation issued final regulations on the transportation provisions of ADA on September 6, 1991. These regulations required that each public transportation provider prepare and submit a Paratransit Plan by January 26, 1992.

The CAT Paratransit Plan was originally developed by the Metropolitan Planning Commission and CAT staffs with input from the Teleride staff and the CUTS Transportation Advisory Committee for the Handicapped (now called Advisory Committee on Accessible Transportation [ACAT]). The document included information on the existing fixed-route and paratransit services; a description of service changes proposed to meet the ADA requirements; a budget and schedule to implement the proposed modifications; a description of the proposed Teleride eligibility process; an account of the public participation process; and supplemental ADA-required information. The Plan (Appendix A) was presented to and endorsed by the CAT Board on January 10, 1992 and to the CUTS committees on January 15, 1992. Since 1994, Teleride has been serving eligible ADA patrons within Chatham County.

In August, 2008, the FTA sent a letter to CAT stating that certain policies in its Teleride handbook were not in compliance with the ADA. As a result, the Advisory Committee on Accessible Transportation (ACAT) met to discuss, a public meeting of Teleride users was held in November 2008, and changes were made to the handbook (see Appendix G: Letter from FTA with Non-compliance issues to CAT and summary of changes made by CAT. The FTA's letter already conforms to ADA standards in customer service in the covered area. In December 2008, per ADA requirements, the CAT Board approved the realignment of the paratransit service area to within a three-quarter mile radius of CAT fixed route bus lines. Much of this realignment is already in effect.

It must be noted that the following ADA compliance points are scheduled to be completed no later than March 1, 2009. Teleride will:

- Update Saturday and Sunday reservation hours to coincide with weekday hours
- Accept reservations from 7 days in advance to the day before the reservation
- Develop a certificate of eligibility for ADA paratransit service
- Develop an identification card for patrons
- Develop a notice of denial for paratransit eligibility

**SECTION II  
IDENTIFICATION OF SUBMITTING ENTITY**

The entity submitting this Paratransit Plan update is the Chatham Area Transit Authority (CAT). This Authority has been responsible for public transportation within a transit district found in Chatham County, Georgia since both CAT and the district were created in 1986. CAT adopted fixed-route service from the Savannah Transit Authority (STA) and paratransit service, Teleride, from the City of Savannah. CAT currently contracts with First Transit to operate the Teleride service. The Chatham Urban Transportation Study (CUTS) is the authorized area Metropolitan Planning Commission (MPO) and its staff prepared the local, Section 504 Plan in 1987. The addresses and contacts with association to the CAT and Teleride services are listed below.

Submitting Entity    Chatham Area Transit  
Joe Murray Rivers, Interim Executive Director  
900 East Gwinnett Street, P.O. Box 9118  
Savannah, Georgia 31412-9118  
Tel: (912) 236-2111

Other Contacts        Teleride/First Transit  
CJ McCampbel, General Manager  
2025 Louisville Road, Unit G  
Savannah, GA 31404  
Tel: (912) 354-6900

Chatham County Savannah Metropolitan Planning Comm.  
Mark Wilkes, Transportation Services Director  
P.O. Box 8246, 110 E. State Street  
Savannah, GA 31412-8246  
Tel: (912)651-1451

## SECTION III DESCRIPTION OF FIXED-ROUTE SERVICE

### A. CAT Service Area

CAT's service area is the Special Assessment Transit District which was created by County ordinance in 1986. The ordinance currently requires a 0.82 mil tax on all property within the district. The district boundaries are basically the Savannah River on the north, Wilmington Island and the Intracoastal Waterway on the east, the intersection of I-95 and Hwy. 204 on the south, and the Savannah-Hilton Head International Airport and Crossroads Business Center on the west (Exhibit A). The transit district encompasses an area of approximately 331 square miles. It should be known that much of this area is marsh. As a comparison, Chatham County is approximately 482 square miles in size. All of the City of Savannah, a portion of unincorporated Chatham County, and a portion of Garden City lie within the transit district boundary.

#### **CAT Route Structure**

Bus service is essentially provided to all parts of the transit service district, albeit at different levels of service. The routes are basically arranged in a radial pattern centered on the Savannah central business district. There are 19 fixed route bus routes and one shuttle circulator operating in the core downtown. Of the 19 routes, 15 originate along the Downtown Loop in the core downtown. There is one route that serves an east-west corridor on the south side. Due to significant development on the west side, there is a bus route serving that area. CAT operates other services such as a smaller downtown shuttle and a parking shuttle as well as a ferry service with accessible docks and vessels on the Savannah River. CAT also participates in the annual St. Patrick's Day Shuttle.

#### **CAT Days and Hours of Service**

CAT provides fixed-route bus service 362 days a year, seven days a week. The three non-service days are Thanksgiving, Christmas, and New Year's. The hours of service differ by bus route and day of week. The overall limits for weekday service are from 5:40 a.m. to 12:05 a.m. Saturday service hours are the same as weekdays. Sunday service begins at 7:10 a.m. and ends at 9:00 p.m.

#### **CAT Fare Structure**

The base one-way fare for a CAT bus trip is \$1.00. There are no transfers. A fare must be deposited each time a passenger boards the bus. There are no zone or peak hour fare adjustments.

Packets of 20 Senior and Disabled tokens can be purchased for \$10. Identification is not necessary when purchasing tokens, however, a photo ID

or a Medicare card must be shown when depositing the token in the farebox. There are no time of day restrictions. A personal care attendant may ride fare-free when accompanying and assisting an eligible disabled individual.

Cash advance tickets may be purchased in booklets of ten for \$10.

Weekly unlimited ride passes and monthly unlimited ride passes are available for \$12 and \$48 each respectively.

The Liberty Parking Shuttle, the downtown CAT Shuttle, the dot downtown circulator and the Savannah Belles Ferry system are all fare-free.

### **CAT Population Served**

The Metropolitan Planning Commission (MPC) estimates that the population located within the transit district is 222,554. In comparison, the population of Chatham County per approximation by the MPC is 263,709. CAT had a ridership of 3.3 million in 2008.

## **B. CAT Accessibility**

### **CAT Vehicles**

CAT maintains a fleet of 55 buses (Table 1) which are all wheelchair accessible. The majority of the buses have voice enunciation and LCD displays identifying approaching major stops and intersections. All buses are equipped to seat two people in mobility devices.

## **C. Other CAT Information**

All CAT bus operators receive customer service training for working with people with disabilities. The training includes experiencing a wheelchair boarding and securement, CAT has been involved in community outreach and public information concerning accessible transit service.

CAT welcomes potential lift users to make appointments to visit CAT to become accustomed with the lift equipment. Regularly, CAT staff visits with service agencies to share information about the accessible buses. Annually, CAT partners with Living Independence for Everyone, Inc., an independent living council, in their mobility device spring cleaning event. CAT uses this opportunity to introduce wheelchair users to the accessible buses. CAT will also:

- Continue to purchase buses with voice enunciation and LCD displays
- Maintain JAWS-compatible website with information about Teleride and CAT's service for people with disabilities.



**SECTION IV  
DESCRIPTION OF EXISTING PARATRANSIT SERVICE**

**A. Inventory of Existing Paratransit Service**

**Teleride Service Area**

From 1994 – 2009, the Teleride service area encompassed all of Chatham County. Due to the unprecedented growth of Chatham County in over the past decade, Teleride's ontime performance and capacity constraints in serving the entire county have been challenged. It is expected that by March 1, 2009, the Teleride service area will come into compliance with Federal Transit Administration requirements so that it serves eligible individuals within a three-quarter mile radius of all CAT fixed bus routes.

**Paratransit Scheduling Software**

Because of the major growth in ridership and overall population over the past 15 years, in May 2008, CAT implemented the use of paratransit scheduling software to improve efficiency and ontime performance.

**Teleride Days and Hours of Service**

Teleride provides door-to-door service 362 days a year, seven days a week. The non-service days are Thanksgiving, Christmas, and New Year's Day. Teleride operational hours mirror those of CAT. The hours are Monday – Saturday from 6:00 a.m. to midnight and on Sunday from 7:00 a.m. – 7:00 p.m.

**Teleride Reservations and Fare Structure**

Teleride reservations are currently accepted weekdays from 8:00 a.m. – 4:00 p.m. Reservation hours on weekends will be extended to 8:00 a.m. – 4:00 p.m. no later than March 1, 2009. On March 1, 2009, customers will be able to place reservations from seven days in advance until the day before a requested trip.

Subscription service is available for clients who have regular daily or weekly trips. Subscription service is regularly monitored to assure that it is in compliance with FTA requirements.

The one-way fare on Teleride for an ADA eligible person is \$1.20. Passengers need to have exact change because the drivers cannot make change. Teleride clients may purchase Teleride cash advance tickets at CAT's two ticket window locations

A personal care attendant will ride at no charge. Any other accompanying individual(s), on a space available basis, after the first guest, will be required to pay the regular fare. Some type of advance payment system will remain a future option. Teleride will also retain the ability to charge a higher fare to a

social service agency or organization for agency trips guaranteed to the organization.

**Teleride Population Served and Ridership**

The total population of the current Teleride service area is approximately 263,709 people. There are currently 1,600 registered Teleride patrons. In 2008, Teleride provided approximately 62,000 one-way rides.

**Teleride Vehicles**

There are currently 19 revenue service vehicles with 15% of the 19 as spares. Table 2 lists the Teleride fleet by model of vehicle.

## **B. Inventory of Service Provided by Others**

### **Regional/Rural Transportation Service**

The Coastal Georgia Regional Development Center (RDC) located in Brunswick, Georgia is poised to implement a rural regional transportation system that is slated to interface with Chatham Area Transit and serve those Teleride and other disabled individuals located outside the newly realigned paratransit service area. The rural regional initiative is designed as a demand-response, advance reservation program that will coordinate human service and rural, public transportation needs simultaneously. The ultimate goal of this program is to provide a seamless, coordinated system that offers rural, public transportation to anyone, for any purpose, to any destination within the coastal region without funding limitations or eligibility criteria. Able-bodied passengers coming from outside Chatham will connect with the CAT service at bus stops on the periphery of the transit district. Those passengers who are ADA-qualified and who are no longer served by Teleride due to the realignment of the Teleride service area will be taken across CAT routes to their final destination.

### **Accessible Taxis**

The City of Savannah recently passed an ordinance which will require taxi cab companies of a certain size to have wheelchair accessible cabs in their fleets. CAT is currently in discussion with the City of Savannah and the private taxi operators to explore public-private partnerships such as the leasing of accessible vehicles obtained through New Freedom grant funds to private operators.

There is currently no other designated public transportation provider in the Savannah area. However, there are numerous private and institutional transportation services.

### **Transportation Provided by Others**

An inventory of current transportation providers must be made. From the 1992 Paratransit Plan: Local business license lists were obtained, a review of the telephone book was made, and members of the CUTS Handicapped Committee were consulted. It was found that in the CAT/Teleride service area there are eight institutions and eight private companies providing or offering some transportation service for the disabled. Within Chatham County there were also 13 taxi cab companies; seven bus companies; nine touring companies; seven limousine services; two horse drawn carriage companies; and one other contacted transportation provider. As far as was known at that time, none of the taxi, private-bus, touring, and limousine vehicles were equipped with wheelchair-lift equipment. The amount and type of transportation services provided by unlisted companies, private schools, churches, and individuals was not determined. Specific information on service area, vehicles, ridership, and persons served was obtained from the both

institutional and private disabled-transportation service providers. Within the group of institutional providers there were 182 vehicles, 83 of them lift-equipped. Six of the providers offered service throughout the County while two only provided service within the CAT area. Three of these providers offered some service outside the County.

The number of disabled individuals served at that time was estimated to be 1,770. None of the providers charged a direct fee or fare. Within the private operators group there were 14 vehicles, seven of them lift-equipped. Four of the providers offered service throughout the County while three only offered service within the CAT area. Three of these providers also offered service outside the County. The number of disabled individuals served was estimated to be 200. It was clear that Medicaid and insurance paid for the majority of these services.

**SECTION V**  
**DESCRIPTION OF PARATRANSIT SERVICE**

**A. Estimate of demand for comparable paratransit service**

**From the original 1992 Paratransit Plan**

Using Census information, it was estimated that there were 6,129 ADA eligible individuals residing in the current transit district (See Table 2: Adjustment of ADA Population Using Census Data and Demand Estimate Appearing in 1991 Paratransit Plan.).An estimated 2,452 of these individuals fell within the second category ADA of eligibility meaning that they should be able to totally rely on the fixed-route system as of 2001. An estimate of future demand for Teleride was developed using the above Census number and a method found in the ADA Paratransit Handbook which has factors for changes in service levels and eligibility. It is estimated that one-way trips could increase from approximately 1,500 per month to between 3,100 and 5,100 trips per month under the ADA required service. Table 2 also provides the base numbers regarding the demand estimate.

**B. Differences between current and required services**

The differences between current Teleride and ADA required services are not great when compared to other transit systems that must start paratransit service. To fully comply with ADA legislation, Teleride needs to

1. Expand reservation hours to Saturday and Sunday
2. Accept reservations seven days weeks to the day before
3. Concentrate on the core service area of three-quarters mile from the fixed route service

**C. Explanation of planned modification to existing fixed-route and paratransit service**

The CAT fixed-route service plans to add vehicle enunciation equipment to new buses. CAT plans on purchasing a contactless fare collection system and ticket vending machines that will be ADA-accessible and labeled with Braille to assist sight-impaired and blind customers. It will continue its program of installing shelters which can accommodate individuals using wheelchairs and where feasible access from the rear of the shelter as well as from the front. CAT continues to work collaboratively with other agencies in assuring that shelter pads and adjoining sidewalks are installed with curb cuts.

Teleride plans on meeting all of the eligibility and service requirements identified in the US DOT final regulations on ADA. These modifications are described in detail in the next section.

**D. Description of paratransit service as it related to each ADA service criterion**

**Service Area**

CAT currently provides complementary paratransit service, Teleride, to origins and destinations located within Chatham County.

**Response Time**

CAT schedules and provides Teleride service to any ADA paratransit eligible person at any time requested on a particular day in response to a request for service made the previous day. The reservation service is available during normal Teleride business hours (8:00 a.m. - 4:00 p.m. - Monday through Friday) and 8:00 a.m. – noon on Saturday. Reservation hours will be extended to 8:00 a.m. – 4:00 p.m. on Saturday and Sunday effective no later than March 1, 2009.

Teleride may negotiate pickup times, but not by more than one hour before or after the patron's desired departure time. On or before March 1, 2009, Teleride will accept reservations up to seven days in advance of the desired trip date.

**Fares**

The one-way fare on Teleride for an ADA eligible person is \$1.20. Passengers need to have exact change because the drivers cannot make change. Teleride clients may purchase Teleride cash advance tickets at CAT's two ticket window locations

**Hours and Days of Service**

The Teleride service will be available during the same hours and days as the CAT fixed-route service. The service would thus be available 362 days a year with the hours of 6:00 AM - 12:00 PM Monday through Saturday and 7:00 AM - 7:00 PM on Sundays.

**Trip Purpose Restrictions**

Teleride does not impose restrictions or priorities based on trip purpose.

**Capacity Restraints**

The Teleride service is not limited by any of the following: a.) restrictions on the number of trips allowed to an individual; b.) waiting lists; or; c.) operational patterns or practices that significantly limit the availability of service such as substantial numbers of untimely pickups; substantial numbers of trip denials; and substantial numbers of trips with excessive trips lengths. With the re-alignment of the current paratransit service area, Teleride will improve in the area of untimely pickups and trip denials.

**Type of. Service**

The Teleride service is door-to-door, advance-reservation, lift-equipped van service.

**E. Description Of Subscription Service**

Subscription service is available for clients who have regular daily or weekly trips. Subscription service is regularly monitored to assure that it is in compliance with FTA requirements.

**F. Conformity with ADA Maintenance And Other Requirements**

**Equipment Specifications**

CAT and Teleride comply with all specifications found in US DOT 47 CFR Part 38: Subpart B regarding buses, vans, and systems.

**Maintenance Access Equipment**

CAT and Teleride maintain in operating condition all access-related features which include, but are not limited to lifts, ramps, securement systems, and communications. This equipment is repaired promptly if it is damaged or breaks down. When an accessibility feature is out of order, CAT and Teleride take reasonable steps to accommodate the inconvenienced patron(s).

CAT and Teleride provide a system of regular and frequent tests and maintenance of lifts. The vehicle operators report, by the most immediate means, the failure of a lift in service. A vehicle with an inoperative lift will be taken out of service as soon as possible, but no later than before the beginning of the vehicle's next day of service. The vehicle will be repaired before it is returned to service.

**Lift and Securement Use**

CAT and Teleride transport all "common wheelchairs" and their users. A common wheelchair is a device which does not exceed 30 inches in width and 48 inches in length measured two inches from the ground, and does not weigh more than 600 pounds when occupied. Service may be denied to some mobility devices such as exceptionally large or heavy wheelchairs or stretchers. CAT and Teleride require that all wheelchairs be secured during transport. However, service is not denied due to an inability to secure a wheelchair. CAT and Teleride retain the option of requesting that a wheelchair user transfer to a seat if securement is a problem.

CAT and Teleride permit individuals not in wheelchairs to use a vehicle's lift if they cannot negotiate the vehicle stairs.

**Accommodation of Mobility Aids and Life Support Equipment**

As stated earlier, most CAT buses have an automated voice enunciation system that announce transfer points, major cross streets, and destinations with that information being displayed at the front of the bus on an LCD

## Appendix H Summary of CAT's Rectified Compliance Issues

Letter dated August 15, 2008 to Mr. Joe Murray Rivers from Mr. David W. Knight,  
Office of Civil Rights, Federal Transit Administration

Mr. Knight cites six policies as advertised on the Chatham Area Transit (CAT) website and in the Teleride Policy Handbook that are in conflict with DOT's ADA regulations. These policies are heretofore listed immediately followed by the corrections made.

1. The statement that trips reservations are accepted up to 24 hours prior to a trip request. 49 CFR 37.13 1(b) requires an entity to "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" (emphasis added). Appendix D to Part 37 explains that "'next day scheduling' is different from a system involving a 24-hour prior reservation requirement, in which a caller would have to reserve a trip at 7 a.m. today if he or she wanted to travel at 7 a.m. tomorrow. The latter approach is not adequate under this rule."

**Response:** Revised handbook reads: Teleride accepts reservations 7 days in advance of a scheduled trip. At a minimum, passengers must schedule trips the day before the desired day of travel.

2. The requirement that all weekend reservations are made between 8 a.m. and noon on Saturday and Sunday. Section 37.131(b)(1) states that reservations service must be "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 office are not open before a service day." In Teleride's case, reservations should be accepted until 4 p.m. on Saturday and Sunday.

**Response:** The updated handbook states that reservations may be made from 8:00 a.m. to 4:00 p.m. on Saturday, Sunday, and holidays.

3. Charging a \$5.00 no-show fare for each one-way missed trip. 49 CFR 37.125(h) allows an entity to "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." The rule does not allow for a punitive charge in this situation.

**Response:** The revised handbook no longer contains policy relating to any punitive charge for a no-show.



4. Suspending eligibility after three no-shows trip within a twelve month period. Section 37.125(h) only allows for suspension of individuals who "establish a pattern or practice of missing scheduled trips." Consistent with FTA interpretation, three no-shows in a twelve month period would not establish such a pattern.

**Response:** Handbook policy has been revised to state: Individuals who establish a pattern or practice of missing scheduled trips may have their eligibility for Teleride suspended for a reasonable period of time. If you have three no shows or late cancellations within a 30-day period, you may receive a letter of concern regarding abuse of the system. An individual may appeal the no-show suspension to the Paratransit Appeals Committee by written notice to the CAT Director. Individual no-show decisions may also be appealed to the Paratransit Appeals Committee.

5. Suspending eligibility for six months. Section 37.125(h) only allows for suspension "for a reasonable period of time." Consistent with FTA interpretation, a six month suspension would not be reasonable.

**Response:** Please see the response to item no. 4 above.

6. Allowing an individual to appeal a no-show suspension within 35 days. While not in conflict with the DOT ADA regulations, this time period appears arbitrary, and FTA advises revising.

**Response:** Please see the response to item no. 4 above. There has been no time period placed on the no-show suspension appeals process.

**Attachment G**  
**TCRP Demand Estimation Model**

**TCRP Project B-28**  
**Estimation Tool for ADA Complementary Paratransit Demand**

**Input Values for CAT**

ADA service area population (2000 Census)	208,886
Base fare for ADA paratransit (Dollars)	\$1.80
Percent of applicants for ADA paratransit eligibility found conditionally eligible	0.0
Conditional trip determination	0
Percent of the population in the ADA service area in households with 1999-2000 income below the poverty line	11.00%
Effective on-time window for ADA paratransit (minutes)	30

**Results**

Predicted Annual Ridership per Capita	1.73
Predicted Annual Ridership	360,704

Confidence Intervals for Mean Value for Systems with the Characteristics Entered

	Trips per Capita	Annual Ridership
Upper 95% confidence limit	3.17	662,777
Upper 90% confidence limit	2.86	596,924
Lower 90% confidence limit	1.04	217,963
Lower 95% confidence limit	0.94	196,306