

**Kenosha Area Transit
Kenosha, Wisconsin**

**ADA Complementary Paratransit Service
Compliance Review**

May 18–21, 2009

Summary of Observations

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

Prepared by
Planners Collaborative, Inc.
with
TranSystems Corporation

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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 established standards (or typical practices if standards do not exist). The examination of patterns or practices includes looking not just at service statistics, but also at basic service records and operating documents, and observing service to determine whether records and documents appear to reflect true levels of service delivery. Input is also gathered 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 ADA complementary paratransit service provided by Kenosha Area Transit (KAT) of Kenosha, Wisconsin, from May 18–21, 2009. Planners Collaborative, Inc. and TranSystems Corp., both located in Boston, Massachusetts, conducted the review for the FTA Office of Civil Rights. The review focused primarily on compliance of KAT's ADA complementary paratransit service with the requirement in Section 37.131(f) of 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 mile of fixed bus route 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 placed 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 plans for ADA complementary paratransit service

address efforts to coordinate with other public entities that have contiguous or overlapping ADA complementary paratransit service areas.

The review also examined compliance of KAT's ADA paratransit service with the requirements related to eligibility determinations, rider-assistance policies, service area, response time, fares, trip purposes, days and hours of service, and coordination with other ADA paratransit services in the area.

This report summarizes the observations and findings of the on-site review of KAT'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 KAT—fixed route bus and ADA complementary paratransit service. All of the findings of the review are summarized in Chapter 4. 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 criteria, as well as additional observations on response time, are then presented in Chapters 7 (Telephone Service), 8 (Reservations), 9 (Service Performance), and 10 (Resources). Recommendations for addressing some of the findings are also provided.

KAT was provided with a draft copy of the report on November 4, 2011 for review and response. KAT elected not to submit comments on the draft report.

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 recurring patterns or practices that result in a significant number of trip denials or missed trips, untimely pickups, or excessively long trips. Capacity constraints also include other operating policies or practices that tend to 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:

- Trip denials and wait-listing of trips
- Trip caps
- On-time performance
- Travel times

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

- Rider assistance policies
- Service area, response time, fares, trip purposes, and service times
- Coordination with other ADA complementary paratransit services in the area
- ADA complementary paratransit service eligibility process
- Telephone capacity

The review also addressed scheduling, dispatch, and operation of service as potential causes of, or contributors to, capacity constraints. Similarly, adequacy of resources was reviewed as a potential contributor to capacity constraints.

2.1 Pre-Review

The FTA Office of Civil Rights sent a notification letter to KAT's Director of Transportation, Lee Brandrup, on February 6, 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 KAT, the review team examined key service information prior to the visit. This information included:

- A description of how KAT's ADA complementary paratransit service is structured
- Public information describing KAT's ADA complementary paratransit service
- KAT's standards for on-time performance, trip denials, travel times, and telephone service, which were contained in a draft Paratransit Policies and Procedures Manual

As requested by FTA, KAT 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 input and complaints related to capacity issues: 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 KAT fleet
- A listing of paratransit employees and their starting dates
- Capital and operating budgets and cost data

In addition, the review team contacted several riders, disability advocates, and disability agency staff to get input on their recent experiences with KAT’s ADA paratransit service.

2.2 On-Site Review

An on-site review of the ADA complementary paratransit service took place from May 18–21, 2009. The review began with an opening conference, held at 9 a.m. on Monday, May 18, at the KAT offices at 4303 39th Avenue, Kenosha, Wisconsin. The following people attended the meeting:

Lee Brandrup	KAT, Director of Transportation
Stephanie Phillips	KAT
Valjean Abrahamson	KAT
Carolyn Feldt	Kenosha County
Paula Williams	Kenosha Achievement Center
David Chia	Planners Collaborative (team leader)
Thomas Procopio	TranSystems
Patricia Monahan	TranSystems
Susan Clark	FTA’s Office of Civil Rights (via telephone)

Ms. Clark opened the meeting by thanking KAT for opening its office and operations to the review. She stressed that the review team would make every effort to complete the review with a minimal level of disruption to the KAT operation. She also invited KAT staff to contact her directly should they have any questions or concerns about the review. Ms. Clark stated that the main purpose of the review was to assess compliance with the ADA requirements. She also said that the review team had significant experience with ADA paratransit operations and encouraged KAT to utilize the review team for technical assistance.

Ms. Clark stated that FTA sees the compliance reviews not just as a way to assess KAT’s operation of services, but as an opportunity to determine if KAT has the resources and assistance it needs. She mentioned that preliminary findings would be provided at a closing meeting on Thursday, May 21. She encouraged KAT to ask questions about the preliminary findings and possible approaches for addressing any issues that might be identified.

David Chia of Planners Collaborative 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 KAT staff to discuss the information sent in advance, the information and material that was available on site, and KAT policies and procedures. For the remainder of the day on May 18, the review team discussed the

process in place at KAT to record and respond to rider comments and concerns and requested rider comments from recent months. The eligibility process was discussed with KAT staff, and eligibility files were gathered for examination. In the afternoon, the review team visited the transportation office of KAT’s contractor for ADA complementary paratransit service, the Kenosha Achievement Center (KAC) and observed reservations calls, conducted driver interviews, and began reviewing operations data.

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. Driver interviews were completed. Review of eligibility files and interviews with KAT 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. KAT staff was interviewed regarding resources, budgeting, and staffing. The scheduler/dispatcher was interviewed regarding the scheduling process and dispatching.

On Thursday, the review team tabulated the various data that had been gathered and prepared for the exit conference.

The exit conference took place at 2 p.m. at the KAT office. Attending the conference were:

Lee Brandrup	KAT, Director of Transportation
Stephanie Phillips	KAT
Valjean Abrahamson	KAT
Carolyn Feldt	Kenosha County
Paula Williams	Kenosha Achievement Center
David Chia	Planners Collaborative (team leader)
Thomas Procopio	Planners Collaborative
Patricia Monahan	TranSystems
Susan Clark	FTA’s Office of Civil Rights (via telephone)

Ms. Clark reviewed the goals of the review. She stated that a copy of the draft report would be provided to KAT for review and comment. Once the draft was transmitted to KAT, it would be subject to release in response to Freedom of Information Act (FOIA) requests. KAT’s comments on the draft would then be incorporated into a final report, and the final report would be posted on FTA’s website.

Ms. Clark advised that KAT would be required to address any deficient findings, while the recommendations would be presented only for KAT’s consideration as possible ways to address the findings.

Those findings that require corrective action will be presented in a reporting table for KAT to use in reporting proposed corrective actions and a timetable for making required changes. Quarterly progress reports would then be prepared by KAT and reviewed by FTA until all findings are addressed.

Ms. Clark encouraged KAT to begin addressing findings discussed during the on-site review while awaiting the draft and final reports. She also invited KAT 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 also thanked KAT and contractor staff for the cooperation they had provided throughout the week. They then presented initial findings in each of the following areas:

- Service design (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, manpower, and financial resources)

3 Background

The City of Kenosha owns Kenosha Area Transit (KAT) and operates the system through its Department of Transportation. The policy-making body is the Kenosha Transit Commission, consisting of seven members appointed by the Mayor and confirmed by the Kenosha Common Council. The Transit Commission is empowered to acquire, operate, and manage the system. The Kenosha Common Council has the ultimate responsibility for review and approval of the transit system's annual budget.

The 2000 Census population of the KAT service area was 91,600 people in a 30-square mile service area. KAT's bus fleet includes 56 fixed route buses, most of which are accessible. KAT also operates a downtown streetcar service, referred to as the Kenosha Electric Streetcar. The Kenosha Achievement Center, Inc. (KAC) operates the Care A Van ADA complementary paratransit service under contract to The Kenosha County Department of Human Services. Section 10.6 discusses the relationship among KAT, KAC, and the County.

3.1 Description of Fixed Route Service

According to FTA's 2008 National Transit Database (NTD), KAT fixed route service provided 1.81 million unlinked trips. KAT's operating budget was \$7.07 million, of which 8 percent was paid by farebox revenue, 34 percent by local funds, and the remainder by state, federal, and other funds.

KAT is headquartered at 4303 39th Avenue in Kenosha, which includes offices, bus storage, and maintenance facilities for the bus system. The streetcar is maintained at the Kenosha Area Transit Center, which is an intermodal facility located at 724 54th Street (downtown). The KAC paratransit offices and maintenance facilities are located at 7915 Sheridan Road in Kenosha.

KAC provides its drivers with a *Transportation Employee Manual* (updated February 2009), which covers policies and procedures for its Care A Van service.

3.2 Description of ADA Complementary Paratransit Service

Type of Service

The stated policies for Care A Van service do not clearly define whether the base model of service is curb-to-curb or door-to-door. The contract between Kenosha County and KAC states, "Paratransit is defined as door-to-door-transportation with one-day advance reservations" (Exhibit 3, page 14). However, the *Transportation Employee Manual* states, "All specialized transportation drivers are to offer physical assistance to those persons boarding or de-boarding who appear to need assistance" (page 5), and describes the driver's responsibilities as including providing "additional courtesies associated with specialized transportation service, such as handling groceries and pushing wheelchair passengers to their resident entrances" (page 11). Finally, the job description for a driver includes "physically assists passengers requiring personal care from and to their doors" (page 21).

Service Area

At the time of the review, very little public information was available concerning the service area covered by Care A Van service. The review team was provided with a hand-edited brochure,

which described the service in terms of “[r]ides ... to any destination east of I-94,” encompasses an area roughly eight miles to Lake Michigan. The brochure provided went on to say, “[f]or persons living west of I-94, KAT offers accessible transportation” (See Attachment D).

Days and Hours of Service

At the time of review, the hand-edited brochure provided to the review team listed Care A Van service hours as Monday to Friday, 6 a.m. to 7:30 p.m. and Saturday, 6 a.m. to 6 p.m. Sunday service hours are 10 a.m. to 5:35 p.m. and are limited to within 3/4-mile of the streetcar line. The website showed service hours beginning at 5:55 a.m. Monday to Saturday and lists Sunday hours as “during streetcar service hours.”

Fares

As indicated in both the brochure provided to the review team and on the Care A Van web page, the fare for a “round trip” is \$5. At the time of the review, KAT’s public information did not state the fares for companions and did not reflect that personal care attendants (PCAs) travel free of charge.

Response Time

The brochure provided to the review team states that Care A Van accepts trip reservation requests from 6 a.m. to 6 p.m. on weekdays, and from noon to 6 p.m. on Saturdays. Trip requests are taken on Sunday by answering machine.

Trip Purpose

At the time of the review, Care A Van had no policy or practice that restricted or prioritized trips by trip purpose. The Care A Van brochure provided to the review team stated that “rides are available...for any purpose: medical appointments, shopping, personal business, recreation, etc.”

Coordination with Adjoining Service Providers

Three transit systems have fixed route bus service in areas close to the KAT service area: Western Kenosha County; Racine County; and Lake County, IL. Of these, only Western Kenosha Transit overlaps with KAT’s service area, and KAC is the contractor for both entities’ complementary paratransit service.

3.3 ADA Complementary Paratransit Performance Policies and Standards

As part of the review, the review team examined information provided by KAT pertaining to their standards and policies for paratransit performance, and interviewed knowledgeable KAT personnel. The following discussion is based on the information and responses provided to the review team.

Trip Denial Standard

At the time of review, KAT had established a trip-denial standard of zero percent. However, a memorandum from KAC dated February 19, 2009 stated that “[n]o trips are denied without management approval,” suggesting that denials may occur.

Vehicle Wait Time and Rider No-Show Policy

According to the *Transportation Employee Manual*, “There is a 5-minute wait time after the scheduled pickup time on a Care A Van route before a driver can leave and the passenger becomes a ‘No-Show’.” On a client route [subscription service], there is no wait time because the clients are picked up at the same time each day and they are to be ready every day and waiting for the bus” (page 5).

The manual also states, “Persons having 3 or more no-shows in any given month are ineligible for service for a period of 30 days.”

KAT’s no-show policy is discussed in more detail in Chapter Six.

Missed Trip Standard

At the time of the on-site review, KAT had not established a written standard regarding missed trips; i.e. trips that had been scheduled but for which the paratransit vehicle did not arrive to pick up the passenger.

On-Time Performance Standards

At the time of the review, KAT did not have a written standard for on-time service. KAT staff stated that the effective standard is the total time between the negotiated pickup and drop-off: usually a maximum of 30 minutes. This is the same for pickups and drop-offs.

On-Board Travel Time Standard

At the time of the review, KAT had adopted an informal travel time standard of 30 minutes. Pickups are scheduled on the half-hour, determined by passenger-assistance needs and the geographic area covered. Drivers typically arrive “within a 10-minute corridor of the scheduled pickup time” (memo from KAC, February 19, 2009).

Telephone Service Standard

KAT did not have a formal standard for telephone hold times at the time of the review. KAC staff stated that every effort is made to ensure that they answer calls from Care A Van customers by the third or fourth ring.

KAC staff is available to take reservations Monday through Friday 6 a.m. to 6 p.m. and Saturdays 12 noon to 5 p.m.” KAC has an answering machine to take trip requests at other hours, including Saturday morning and Sunday.

3.4 Consumer Input

FTA Complaints and Recent Service Issues

As of the date of the on-site review, there were no formal complaints on file with FTA that concerned ADA complementary paratransit services provided by KAT.

Consumer Input

Prior to and during the on-site review, the review team conducted ten telephone interviews with registered Care A Van paratransit riders. Each interviewee was asked for input on various aspects of the service, including:

- 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
- Vehicle condition

The review team also asked for any other input on the service not covered by the specific questions. Please refer to Chapters 5 to 10 for summaries of the consumer input related to the service issues covered in the respective sections.

Consumer Input on File at KAT

KAT procedures for receiving and responding to consumer input and complaints are described in Chapter 5.2.

According to a report prepared by KAC and information provided by KAT, from September 2008 to May 15, 2009, there were seven recorded complaints.

The complaint topics were:

- Rude communications by dispatch
- Difficulty in arranging transportation
- Issues with the future availability of transportation due to barriers at the rider home
- Incorrect service information provided about Saturday service
- Incorrect information about eligibility of a rider to ride with a personal care attendant
- A rider complained of a rough ride
- Missed trip—a rider waited over one hour and 15 minutes for a return ride. Eventually the rider called a friend for a ride home.

The record for all the complaints showed that an investigation and resolution was made with the exception of the last one, the missed trip. Only two of the complaint records specified that the rider was contacted with the resolution of the issue.

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. Public information about Care A Van’s service area is not consistent with staff statements. According to the Care A Van brochure, on Monday to Saturday, service is available to any destination east of I-94. However, staff confirmed that service is also available in a small area west of I-94 that is 3/4-mile of a KAT bus route. In addition, two KAT routes have destinations east of I-94 but appreciably beyond the city limits. Section 37.131(a) of the DOT ADA regulations require that complementary paratransit be provided to origins and destinations within corridors with a width of 3/4 of a mile on each side of each fixed-route. The corridor includes an area with a 3/4 mile radius at the ends of each fixed route. It is not clear whether service is available within 3/4-mile of these bus routes.
2. The Care A Van brochure is inconsistent with § 37.131(e) of the DOT ADA regulations, which requires that complementary paratransit service be available throughout the same hours and days as the entity’s fixed-route service. Six KAT bus routes begin service on weekdays at 5:55 a.m. The brochure says that service begins at 6 a.m. on weekdays.
3. The KAT fare of \$2.50 per paratransit trip complies with the DOT ADA regulation in § 37.131(c) that states paratransit fare be no more than double the non-discounted fixed route fare for a similar trip. On KAT the fixed route fare is \$1.25 for a one-way trip. However, at the time of the on-site review, KAT’s web site did not list the correct fare; it stated that the CAV fare was \$2.00 (\$4 for a round trip). KAT’s public information did not state the fares for companions or that PCAs ride free of charge. In addition the streetcar fare is only 50 cents. Therefore, any Care A Van trip with both origin and destination within 3/4-mile of the two different streetcar stations should have a fare no more than two times the streetcar fare: \$1.00. Alternatively, KAT can develop its own methodology for determining an area in which the comparable fixed route trip would most likely be taken on the streetcar instead of the full-fare fixed route system. If KAT elects to develop its own methodology, it must be broad enough to encompass trips between all origins and destinations that a reasonable fixed route rider is likely to take using the streetcar.

4.2 ADA Complementary Paratransit Eligibility

1. At the time of the on-site review, the KAT ADA paratransit application form and related materials were not available in accessible formats. The DOT ADA regulations at section 37.125(b) require that that all information related to eligibility and the eligibility determination process must be made available in accessible formats upon request. Appendix D explains that accessible formats may include, but are not limited to: large print, electronic file on CD (individuals using a screen reader on a computer to read files may need Microsoft

Word files rather than Acrobat PDF files), audiotape, or Braille. KAT staff stated that it is prepared to make the ADA complementary paratransit application form and related materials available in accessible formats upon request, but individuals are not informed that they may request an application in an alternate format.

2. KAT staff stated that it is aware of the requirement to provide visitors with eligibility for 21 days during a 365-day period and are prepared to grant visitor eligibility accordingly. However, the draft New ADA Certification Policy dated December 6, 2007, used to describe the eligibility-determination process to those who request an appeal of their eligibility decision, states that visitors with documentation from another transit system or a physician will be granted eligibility for the first 21 days of their visit and must submit an application for full eligibility after that time. Section 37.127(e) requires that KAT make service available for any combination of 21 days in a 365-day period. The policy fails to state other aspects of visitor eligibility, including that visitors who do not have documentation of eligibility from another transit system may be asked to provide documentation of their place of residence and their disability, if the latter is not apparent, and that KAT shall accept a certification from these such individuals that they are unable to use fixed route transit.
3. Individuals who are granted temporary eligibility are not provided with information about the process for appealing a decision to deny or limit ADA paratransit eligibility. Since temporary eligibility is a condition or limitation on the rider's eligibility, the notification letter should inform individuals of the right to appeal the decision, as required by §37.125(d) of the DOT ADA regulations.
4. The letter in use at the time of the on-site review notifying applicants of a denial of eligibility did not include the specific reasons for the decision or information on how to appeal the denial. The letter stated that the applicant was not prevented from using fixed route service. The DOT ADA regulations at § 37.125(d) require 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 finding. Appendix D explains that a mere recital that the applicant can use fixed route transit is not sufficient.
5. KAT must revise the draft New ADA Certification Policy, other public information materials and on its website that presumptive eligibility will be granted to applicants if KAT has not made an eligibility determination within 21 days of receiving a complete application. Pursuant to section 37.125(c), presumptive eligibility begins on the 22nd day and applicants will be treated as eligible and will receive service unless and until such time as they are denied eligibility.
6. The draft New ADA Certification Policy states that an applicant denied eligibility may appeal the decision by submitting a request within 30 days to the Director of Transportation for the City of Kenosha. Section 37.125(g)(1) requires that an applicant have at least 60 days to appeal.
7. The Director of Transportation and the Manager of Elder & Disability Services in the Kenosha County Department of Human Services, Division of Aging & Disability Services hear eligibility appeals. The DOT ADA regulations at 49 C.F.R. § 37.125(g)(2) require that that the eligibility appeal process includes a separation of functions, to ensure that someone not involved in the initial determination make the appeal decision. In addition, the person

who decides the case on appeal, to the extent practicable, should not be a member of the same office or a supervisor or subordinate of the individual who made the original decision.

8. KAT's sample determination letters in use at the time of the on-site review did not include all of the elements required by § 37.125(d) of the DOT ADA regulations. The letters must be revised to include all of the required elements.
9. The file for the single applicant who appealed a denial of eligibility during the period July 2008 to May 2009 lacked documentation of key milestone dates in the process and did not include a copy of a letter notifying her of the outcome of the appeal hearing and providing specific reasons for the decision. Section 37.125(d) of the DOT ADA regulations require that written notification of the appeal decision and the reasons for it must be provided to the applicant.
10. KAT's late cancellation policy considers cancellations to be late—and the equivalent of a no-show—if made less than three hours before the scheduled pickup. Section 37.125(h) of the DOT ADA regulations allow transit systems to suspend service to riders for a reasonable period of time if they establish a pattern or practice of missing scheduled trips. Penalties for late cancellations may only be used if the late cancellation is the functional equivalent of a no-show. The effects of a late cancellation must be operationally equivalent to a no-show in terms of the negative impact on the service. FTA does not view a cancellation three hours prior to a scheduled ride as having the same level of operational impact as a no-show. The slack time created by a cancellation that far in advance can be used to make room for the addition of other trips.
11. KAT's written no-show policy at the time of the on-site review stated that suspensions of service would be imposed on riders who no-show three times in a period of 30 days. 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. Appendix D to the DOT ADA regulations states that suspension of service for no-shows are intended to prevent "a pattern or practice of 'no-shows'" and further notes, "a pattern or practice involves intentional, repeated or regular actions, not isolated, accidental or singular incidents." It is likely that a frequent rider could amass three no-shows in a 30-day period without meeting the definition of pattern and practice. In addition, the regulation states that trips missed by the transit provider cannot be counted against the rider and only those no-shows within the rider's control can be counted against the rider.
12. Section 37.125(h)(2) of the DOT ADA regulations requires that before suspending service, the transit provider must the rider an opportunity to be heard and present evidence and arguments. Based on a review of a sample of KAT's letters notifying customers of suspension of service for violation of the no-show policy, it appears that KAT schedules the start of the suspension period prior to the end of the period for filing an appeal. In addition the letters did not include notification that the proposed suspension or other sanction is stayed pending the outcome of the appeal under § 37.125(h)(3).
13. KAT allows seven days from the date that a rider receives a letter notifying him of a proposed suspension for no-shows for him to appeal the suspension. In prior compliance reviews, FTA has stated that this is not a reasonable time period and that a transit agency must allow at least 15 days from the date of the letter for a rider's appeal.

4.3 Telephone Access

1. Trip reservations are taken by answering machine only on Sunday. KAC does not schedule or confirm trip requests made on Sunday (or Saturday evening) for Monday service until Monday morning. While it is acceptable to accept trip requests by answering machine, this does not comply with Section 37.131(b) of the DOT regulations to schedule and provide ADA complementary paratransit service for a request made the previous day.

4.4 Trip Reservations and Scheduling

1. There were no written policies available to riders concerning: PCA and guests; negotiating pickup times; pickup windows; requesting trips by appointment time; late cancellation policies; no-shows; will-calls; or subscription service.

4.5 Service Performance

1. Section 37.131(f)(3)(i)(A) of the DOT ADA regulations prevents transit providers from limiting the availability of paratransit service by a pattern or practice of a substantial number of significantly untimely pickups, drop-offs or arrivals. KAT had no written performance standard for on-time pickups or for on-time drop-offs. The KAT operations manager stated that the window for an on-time pickup extends from 15 minutes before the requested time to 15 minutes after (± 15). Not all drivers were familiar with the standard, nor does either KAT or KAC monitor on-time performance.

4.6 Resources

1. There is no one in the KAC office accepting trip requests on Sunday. KAC relies on an answering machine to accept trip requests for Monday service. KAC does not schedule and confirm any trips requested on Sunday until Monday morning. Section 37.131(b)(2) permits a transit provider to negotiate pickup times with individual riders, but cannot require scheduling of a trip to begin more than one hour before or after their desired departure time. While relying on an answering machine to take trip requests is acceptable, the lack of confirmation until Monday does not comply with the DOT regulations when it affects trip scheduling beyond what is permitted by the regulations.

5 ADA Complementary Paratransit Service Criteria

This chapter presents information about the compliance of KAT’s ADA complementary paratransit service policies with the regulatory criteria for each of the following areas:

- Type of service
- Service area and days and hours of operation
- Fares
- Trip purposes
- Coordination with adjoining transit systems

This chapter also examines the process used by KAT to receive, investigate, and respond to comments and complaints from ADA complementary paratransit service riders.

5.1 Consumer Input

One rider had a complaint about service criteria stating that he or she was given incorrect information regarding Saturday service. The dispatcher/scheduler incorrectly informed the rider that Saturday service was for medical and dialysis purposes only. KAT followed up on the complaint and corrected the error.

5.2 Type of Service

Section 37.129(a) of the DOT ADA regulations states that ADA complementary paratransit service must 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 FTA technical assistance and DOT guidance on this topic, 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.

Various KAT internal documents suggest that KAT is meeting the requirement for origin-to-destination service. While the contract between Kenosha County and KAC states, “Paratransit is defined as door-to-door-transportation with one-day advance reservations” (Exhibit 3, page 14), the *Transportation Employee Manual* states “All specialized transportation drivers are to offer physical assistance to those persons boarding or de-boarding who appear to need assistance” (page 5). It also states that the driver’s responsibilities include providing “additional courtesies associated with specialized transportation service, such as handling groceries and pushing wheelchair passengers to their resident entrances” (page 11). Finally, the job description for a driver includes “physically assists passengers requiring personal care from and to their doors” (page 21).

The brochure provided to riders is the least explicit in describing the level of service offered. The brochure does not refer to door-to-door service, only that “trained drivers provide passenger assistance.”

5.3 Service Area

Section 37.131(a) of the DOT ADA regulations requires a transit system operating fixed route bus service to provide complementary paratransit service that covers, at a minimum, all areas within 3/4-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 system’s fixed route, unless the public transit system does not have the legal authority to operate in those areas.

According to the Care A Van brochure, on Monday to Saturday, “rides are available to any destination east of I-94 for any purpose: medical appointments, shopping, personal business, recreation, etc.” Most KAT bus routes stay within the boundaries of the City of Kenosha, which is located east of I-94 except for one small section adjacent to Route #31. KAT bus route #31 does extend west of I-94. Care A Van staff stated that they provide paratransit service beyond I-94 within 3/4-mile of route #31 on Monday to Saturday.

In addition, two KAT routes have destinations east of I-94 but appreciably beyond the city limits (Route #1 north to University of Wisconsin-Parkside; Route #35 south to the Lakeview Corporate Park). At the time of the on-site review, it was not clear whether service is available within 3/4-mile of these bus routes. KAT should specify the extent to which it would provide ADA paratransit service to other destinations that are east of I-94 but within 3/4-mile of a KAT bus route.

KAT needs to correct and clarify its stated ADA paratransit service area for Monday to Saturday.

On Sunday, KAT’s only fixed route service is the downtown streetcar. According to the brochure, Care A Van “[r]ides are available from and to any destination within 3/4-mile radius of Kenosha Electric Car Route for any purpose.”

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 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. to 9 p.m. must have ADA complementary paratransit service, at minimum, from 5 a.m. to 9 p.m.

At the time of the on-site review, the Care A Van brochure stated that service hours were 6 a.m. to 7:30 p.m. on weekdays, 6 a.m. to 6 p.m. on Saturdays, and 10:05 a.m. to 5:35 p.m. on Sundays. KAT Routes #1, #2, #3, #4, #5, and #6 all begin service on weekdays at 5:55 a.m. Consequently, the published hours of service at the beginning of the day do not comply with the DOT ADA regulations on hours and days of service.

In addition, the Saturday service hours had changed recently prior to the on-site review; on the brochure provided by KAT, the new hours were handwritten. As of the time of the on-site review, KAT’s web site still listed the previous Saturday service hours (6 a.m. to 7:30 p.m.).

5.5 Fares

Section 37.131(c) of the DOT ADA regulations requires that paratransit fares be no more than double the fixed route fare for an equivalent trip. In addition, fares for individuals accompanying ADA complementary paratransit riders must be the same fare as for the paratransit rider. Personal Care Attendants (PCAs) are permitted to travel at no charge. Finally, a transit system may charge a higher fare to a social service organization or other organization for agency trips (guaranteed trips).

On KAT buses, the base fare is \$1.25 for a one-way trip. The Care A Van fare for one trip is \$2.50, which is precisely two times the fixed route bus fare. At the time of the on-site review, KAT's web site did not list the correct fare, stating it as \$2 (\$4 for a round trip).

KAT's public information does not state the fares for either PCAs or companions.

Fares for the Kenosha Electric streetcar, however, are 50 cents. The paratransit service area for rail systems consists of locations within a ¾-mile radius of each station, with trips from origins within the service area of one station and destinations within the service area of another station. For trips comparable to those that would be taken on the streetcar, the Care A Van fare cannot exceed \$1.00, twice the regular fare of 50 cents.

5.6 Trip Purpose

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.

The Care A Van brochure states that “rides are available...for any purpose: medical appointments, shopping, personal business, recreation, etc.” In addition, review team member observed no practice by CAV staff that would restrict or prioritize trips by trip purpose.

5.7 Coordination with Adjacent Service Providers

As an outgrowth of the coordination requirements in Section 37.139(g) of the DOT ADA regulations, transit systems are required to continue to coordinate with transit systems with overlapping or contiguous service areas for paratransit riders who want to travel between service areas. There are fixed route services in three areas in the vicinity of Kenosha: western Kenosha County; Racine County; and Will County, IL.

Western Kenosha Transit is operated by Kenosha County. The County contracts with the Kenosha Achievement Center (KAC) for both the fixed route and ADA complementary paratransit services. For both fixed route and paratransit, the primary transfer point is Southport Plaza, just east of I-94. At the time of the on-site review KAT and Western Kenosha Transit have not established a policy of “live” transfers (i.e., the first vehicle waits for the second vehicle to arrive to transfer the passenger) for paratransit service. KAT staff said that this is the “usual” practice. Since KAC is the contractor for both paratransit services, staff stated that it tries to schedule trips to enable a transferring passenger to stay on the same vehicle. For all paratransit trips between the two services, the passenger pays the fare for each service.

Racine County Transit, operating directly south of Kenosha County, has ADA complementary paratransit service. Its service area does not adjoin the service area of KAT's paratransit service area.

Will County, IL, directly south of Kenosha, has fixed route bus service and ADA complementary paratransit service. KAT’s southernmost bus service (Routes #2 and #35) is more than 3/4-mile from the border with Will County. KAT staff said that there is no formal policy if a rider requested a transfer between the two paratransit services and there is no transfer point. They stated they were not aware of having received any such requests, but they would be willing to make arrangements if they received a request.

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 five years (49 CFR 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.

The contract between the County and KAC, paragraph IV (I) states “[KAC] shall notify the purchaser in writing of all complaints filed in writing against the provider and the resolution of the complaint.” Beyond that provision, there was no formal complaint process in place at the time of the onsite review. An individual may submit a complaint by calling KAT, KAC, or the Aging and Disability Resource Council in the County Division of Aging Services.

Complaint Policies and Procedures

Prior to the hiring of the Transportation Coordinator, complaints went to the KAT Director; there was no paratransit complaint form and the notification of complaints to KAC was done via telephone or e-mail.

At the time of the on-site review, paratransit complaints received by KAT were directed to its Transportation Coordinator. KAT uses a comment form to record complaints about paratransit service, which is separate from the fixed route comment form. After the comment form is completed, it is faxed to the KAC Assistant Transportation Director. He investigates the complaint by pulling the driver manifest to verify day and time of trip and check for any driver incident reports. He speaks to the driver to listen to what the driver (or other employee) may remember about service to the rider on the day in question. If the rider requested a response, a call is made to the rider to inform him or her of the resolution. If the rider did not request a response, no subsequent contact is made with the rider.

If the complaint call is made directly to KAC, the call is generally directed to the dispatch office. The complaint then goes to the KAC Assistant Transportation Director for investigation. He reviews the driver manifest to verify the day and time of trip and check for any driver incident reports. He asks the driver or employee if they remember anything out of the ordinary on the day of the trip. As needed, the employee is counseled and, if necessary, the incident is documented in the employee file. If the rider had asked for a response, or if the Assistant Transportation Director had said that he would respond, he calls the rider after the issue has been investigated and resolved.

If a rider calls the County’s Aging and Disability Resource Center (ADRC) to register a comment, they are directed to its Information and Assistance number. This line is staffed from

8 a.m. to 4 p.m. Monday through Friday. It is staffed by at least three, and up to, 15 social workers. All calls are entered into the ADRC database. Any calls related to transportation are sent to the Assistant Director of Aging Services. A comment made to that number is entered into the ADRC database and the Assistant Director of Aging is notified. She transmits the complaint to the transportation coordinator at KAT. The transportation coordinator then transmits the complaint to the KAC Assistant Transportation Director..

Staff stated that representatives of KAT, KAC, and ADRC meet monthly to discuss transportation issues. There is a standing agenda item on unresolved rider issues. The discussion includes any complaints received during the month.

Recorded Complaints

From September 2008 to May 15, 2009 KAT had seven complaints on file (three in 2008 and four in 2009).

The complaints were:

- Rude communications by dispatch.
- Difficulty in arranging transportation.
- Issues with the future availability of transportation due to barriers at the customer's home.
- Incorrect service information provided about Saturday service.
- Incorrect information about eligibility of a customer to ride with a personal care attendant.
- A customer complained of a rough ride.
- Missed trip – a customer waited over one hour and 15 minutes for a return ride. Eventually the customer called a friend for a ride home.

The record indicated that an investigation and resolution was made with the exception of one, the missed trip. Two of the complaint records specified that the customer was contacted with the resolution of the issue.

5.9 Findings

1. Public information about Care A Van's service area is not consistent with staff statements. According to the Care A Van brochure, on Monday to Saturday, service is available to any destination east of I-94. However, staff confirmed that service is also available in a small area west of I-94 that is 3/4-mile of a KAT bus route. In addition, two KAT routes have destinations east of I-94 but appreciably beyond the city limits. Section 37.131(a) of the DOT ADA regulations require that complementary paratransit be provided to origins and destinations within corridors with a width of 3/4 of a mile on each side of each fixed-route. The corridor includes an area with a 3/4 mile radius at the ends of each fixed route. It is not clear whether service is available within 3/4-mile of these bus routes.
2. The Care A Van brochure is inconsistent with § 37.131(e) of the DOT ADA regulations, which requires that complementary paratransit service be available throughout the same hours and days as the entity's fixed-route service. Six KAT bus routes begin service on weekdays at 5:55 a.m. The brochure says that service begins at 6 a.m. on weekdays.

3. The KAT fare of \$2.50 per paratransit trip complies with the DOT ADA regulation in § 37.131(c) that states paratransit fare be no more than double the non-discounted fixed route fare for a similar trip. On KAT the fixed route fare is \$1.25 for a one-way trip. However, at the time of the on-site review, KAT's web site did not list the correct fare; it stated that the CAV fare was \$2.00 (\$4 for a round trip). KAT's public information did not state the fares for companions or that PCAs ride free of charge. In addition the streetcar fare is only 50 cents. Therefore, any Care A Van trip with both origin and destination within 3/4-mile of the two different streetcar stations should have a fare no more than two times the streetcar fare: \$1.00. Alternatively, KAT can develop its own methodology for determining an area in which the comparable fixed route trip would most likely be taken on the streetcar instead of the full-fare fixed route system. If KAT elects to develop its own methodology, it must be broad enough to encompass trips between all origins and destinations that a reasonable fixed route rider is likely to take using the streetcar.

5.10 Recommendations

1. KAT should clarify its service area for Care A Van and publicize the service area to its riders. It should also ensure that KAC provides service throughout the entire service area.
2. KAT should revise its Care A Van brochure and correct its website to present the proper service hours. It may say that service is available during all days and hours that the fixed route buses operate, "roughly 6 a.m. to 7:30 p.m. on weekdays."
3. KAT should adjust its Care A Van fares so that a trip whose origin and destination are both within 3/4-mile of a trolley station has a fare no greater than two times the trolley fare.
4. KAT should formalize its policy for transfers between Care A Van and the paratransit service in Western Kenosha County.
5. KAT should work to strengthen coordination with other paratransit providers to properly serve riders who, because of their disability, are not able to independently transfer to paratransit vehicles of the adjacent service providers.
6. KAT should consider developing means for Care A Van riders to submit comments via a variety of media, including e-mail and in writing.

6 ADA Complementary Paratransit Eligibility

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 functional abilities of the applications. The review team also assessed the timeliness of the processing of requests for eligibility. The review team:

- Obtained input about the eligibility-determination process through interviews with riders and advocates and a review of consumer input on file at KAT
- Developed an understanding of the handling and review of applications through an assessment of current eligibility materials and interviews of eligibility determination staff
- Reviewed eligibility determination outcomes for the period of July 2008 through May 2009
- Reviewed the application files of applicants denied ADA paratransit eligibility

6.1 Consumer Input

In the telephone interviews conducted by the review team, several Care A Van riders mentioned that they were confused about the need to recertify eligibility. One KAT complaint related to incorrect information about the ability of a customer to ride with a personal care attendant.

6.2 Overview of the Eligibility Determination Process and Materials

Initial Determination Process

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 is available in accessible formats, upon request.

KAT utilizes a paper application form for ADA eligibility (see Attachment E). Individuals may obtain applications by calling or visiting the KAT offices, or by calling KAC. Drivers also distribute applications to riders upon request. At the time of the on-site review, KAT stated that it would make the application available in accessible formats, including large print, Word file on CD or via e-mail, and audiotape. However, while the application itself asks applicants if they require information in an accessible format, public information and materials in use at the time of the on-site review did not describe the options available.

The form includes several parts. Parts 1–6 are to be completed by the applicant, and request the following information:

- General information (name, address, etc.)
- Applicant's certification of the accuracy of the information provided and the reasons he is seeking ADA paratransit eligibility (the reasons offered to the applicant mirror the three categories of ADA eligibility) p
- Nature of disability or health condition
- Mobility aids used

- Need for the assistance of a Personal Care Attendant (PCA) when traveling
- A description of the individual’s previous use of KAT buses
- Information about functional abilities that are related to use of KAT buses (communication, ability to get to and from bus stops, distance that can be traveled, waiting at a stop, getting on and off a bus, riding a bus)
- The three trips that the applicant would make most frequently on Care A Van if determined to be eligible
- Authorization for the release of information necessary for completion of the application by a physician

The applicant’s physician completes the final page of the application. Its main section is an open-ended question that asks for a description of the physical and/or cognitive condition of the applicant that functionally prevents use of KAT bus service. General information about the physician is also requested.

The ADA paratransit eligibility application package includes a cover letter that explains the eligibility criteria, types of eligibility, and presumptive eligibility in the event that a determination is not made in 21 days after a completed application is received. A separate document containing instructions for completing the application is also included.

Application forms may be returned to either the KAT Transportation Coordinator or the KAC Assistant Transportation Manager. The KAC Assistant Transportation Manager stated that he notes the receipt date on all applications that he receives, and checks the application for completeness before forwarding them to the Transportation Coordinator.

The Transportation Coordinator reviews all applications. An Eligibility Committee composed of the KAC Assistant Transportation Manager and a social worker from the Kenosha County Department of Human Services, Division of Aging & Disability Services assists with the more difficult eligibility determinations and all decisions to deny eligibility.

In order to make an eligibility determination, the Transportation Coordinator may request more information from either the applicant or the physician. She stated that she occasionally uses a second, more detailed medical verification form to collect additional information, either over the phone or in writing, from either party. The second form includes questions that are similar to the applicant’s portion of the application form and pertain to the individual’s ability to perform the functions required to use fixed route bus service. She said that she may also meet with the applicant at the KAT office or the individual’s home, or she may evaluate the accessibility of the area around a certain bus stop.

If the applicant’s portion of the application form is incomplete, she highlights the missing sections and returns the form to the applicant along with a letter explaining that an eligibility decision cannot be made until more information is received. If the applicant’s physician has signed the medical verification form but provided no information about the applicant’s condition or abilities, the individual is granted presumptive eligibility until more information is received and a final determination can be made. Applicants in this situation receive a letter that states that more information is being requested and informs them of their ability to use Care A Van service in the meantime. The Transportation Coordinator provides information about individuals who have been granted presumptive eligibility to KAC’s Assistant Transportation Manager so the applicants are able to reserve Care A Van trips.

A prospective applicant is able to make two round trips using Care A Van prior to the submission of his application, at the full Care A Van fare. One additional round trip, also at the full fare, is allowed so that the individual may visit his/her physician to obtain a completed medical verification form. If the Transportation Coordinator requests an in-person interview with the applicant at the KAT offices, one round trip is provided free of charge.

When a final determination is made, the Transportation Coordinator sends a notification letter to the applicant. Individuals who are granted eligibility also receive an ID card, which does not include a photo (the application form instructions inform individuals that they will need some form of photo identification to accompany the Care A Van ID card). No information about Care A Van service is provided. Individuals who are denied eligibility also receive a copy of the KAT ADA certification policy, which includes information about appealing a denial (See Attachment F).

Types of Eligibility Granted

KAT grants several types of paratransit eligibility. These include:

Unconditional ADA eligibility. KAT grants unconditional eligibility to all applicants who are unable to use fixed route service for any 1 of their trips.

Temporary ADA eligibility. If either the applicant or the physician indicates that the applicant's disability is temporary, KAT grants ADA eligibility for the expected duration of the disability. Individuals who are granted temporary eligibility are not provided with information about the appeal process.

Visitor ADA eligibility. The Transportation Coordinator explained that KAT grants ADA eligibility to visitors to its service area for the period of eligibility as required in the DOT ADA regulations. Only one such request has been received to date, and that was from an individual who was planning to move to the Kenosha area and ultimately decided to apply for 1 eligibility instead. However, the draft ADA Certification Policy dated December 6, 2007 (which is sent to individuals who are denied eligibility to explain the appeal process) indicates that visitors with documentation from another transit system or a physician will be granted eligibility for the first 21 days of their visit, and must submit an application for full eligibility after that time. The policy should be revised to state that visitors will be granted eligibility for a maximum of 21 days within a 365-day period.

Applications are denied if the KAT Transportation Coordinator and application review committee determine that the applicant is able to use fixed route service and does not require Care A Van paratransit service for any trips.

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

Full eligibility is valid for three years. Since the formal eligibility process was implemented in July 2008, no riders have needed recertification. At the time of the on-site review, KAT anticipated initiating a form of recertification for approximately 600 individuals who became Care A Van riders under the more informal Care A Van registration process that was in place until July 2008. Some of those individuals are Title XIX (Medicaid) recipients, and others are sponsored by Kenosha County's Family Care Partnership Program, a managed care program for Medicaid recipients who have a disability or are frail seniors, or participate in Kenosha County's

Senior Dining program. KAT plans to review applications from these Care A Van riders at the rate of about 100 per month, beginning in the near future.

Eligibility determinations are sometimes, but not always, noted on the application forms, and are not tracked by KAT in a spreadsheet or written log. In addition, copies of letters sent to applicants are usually not retained by KAT. The Transportation Coordinator does maintain a database of information about individuals who have been through the certification process that includes the name, address, phone number, eligibility determination, eligibility expiration date, and explanatory notes.

Eligibility Determination Letters

Section 37.125(e) of the DOT ADA regulation requires the transit system to provide documentation to each eligible individual stating that he or she is “ADA 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

The review team reviewed samples of all types of eligibility determination letters used by KAT. This included copies of letters granting full (unconditional) eligibility and temporary eligibility as well as letters denying eligibility. The results are summarized in Table 6.1.

Table 6.1 – Eligibility Determination Letters and ADA ID Card Inclusion of Required Elements

Type of Letter	Individual’s Name	Transit Provider Name	Paratransit Coordinator’s Phone Number	Eligibility Expiration Date	Any Conditions or Limitations on Eligibility	Information about Appeal Process
Unconditional eligibility	Yes	Yes	Yes	No	NA	NA
Temporary eligibility	Yes	Yes	Yes	Yes	Yes	No
Not eligible	Yes	Yes	NA	NA	NA	No*
ADA ID Card	Yes	Yes	Yes	Yes	Yes	NA

NA: not applicable

* Separate enclosure

The expiration date of the individual’s eligibility is printed on the ADA ID card sent with the determination letters but does not appear in the letters themselves.

Observations regarding eligibility documentation include:

- Individuals who are granted temporary eligibility receive a form letter that is similar to the one sent to those who are granted full eligibility, and are not provided with information about the appeal process. Since temporary eligibility is a limited form of eligibility, individuals should be informed of their right to appeal the decision, either in

the notification letter itself or in an enclosed copy of the KAT ADA certification policy that describes the appeal process.

- From July 2008 through May 2009, KAT denied eligibility to only one applicant. The one denial letter did not sufficiently explain the reasons for the decision, stating simply that the applicant was not prevented from using fixed route service.
- ADA ID cards note whether or not the individual travels with a PCA.

6.3 Reported Determination Outcomes

A review of applications received and processed by KAT from July 2008 to May 2009 showed the breakdown of eligibility determinations that is presented in Table 6.2. July 2008 is when KAT began to use the eligibility determination process that was in effect at the time of the on-site review. As shown, KAT received 168 applications during that period. Of those, 146 applicants (87 percent) were granted full, or unconditional, eligibility. Temporary eligibility was granted to 14 individuals (8 percent). One applicant, representing 0.6 percent of the total was originally determined to be ineligible for ADA paratransit service but was found to be temporarily eligible on appeal. Three individuals (2 percent) had been granted presumptive eligibility while more information was sought from their physicians, and four applications (2 percent) were incomplete and returned to the applicants or on hold at the request of the individual.

Table 6.2 – Eligibility Determinations by Category, July 2008 to May 2009

Determination Outcomes	Determinations	Percent
Unconditional eligibility	146	87%
Temporary eligibility	14	8%
Visitor eligibility	0	0
Not eligible	1	>1%
Presumptive eligibility	3	2%
Application incomplete	4	2%
Total	168	100%

At the time of the on-site review, KAT had 1,061 certified Care A Van riders in its database.

6.4 Process Observations and Reviews of Recent Determinations

Section 37.125(d) of the DOT ADA regulations requires that the transit system’s determinations of eligibility must be in writing and if applicants are found to be ineligible, the determination must state the specific reasons for the finding. Appendix D of the ADA regulations explains that these reasons cannot be a simple recital that the person has been found to be able to use fixed route service. Determinations that deny eligibility or limit eligibility also should include information about the process for appealing the decision. The review team examined the files of all applicants who had been determined to be not eligible for Care A Van ADA complementary paratransit service from January–September 2008 (22 applicants). Of these determinations of not eligible 21 of 22 were made from January to June 2008.

Six of the determinations of ineligibility appeared to be reasonable. The information submitted by the applicants and their health care professionals specified that the individuals do not have disabilities that prevent them from traveling independently on the KAT fixed route system.

Four of the determinations of ineligibility incorrectly denied eligibility because applicants live near a KAT bus route and are able to travel to and from the bus route. Eligibility determinations should be based on an individual's functional abilities to use fixed route service in general, not on his or her ability to travel independently to a particular stop. Not all of a person's trips will begin or end at home. Because the conditions around each fixed route stop (curb ramps, terrain, or accessibility of intersections, etc.) are not identical to those around the stop that is closest to the individual's home, notification letters should not make reference to the fact that the applicant lives near a bus route.

Two of the determinations of ineligibility were due to the applicant's residence being located outside of the Care A Van service area. As explained above, eligibility for ADA paratransit service is a function of the individual's ability to use fixed route service, not the location of his or her residence. The correct response to an application from an individual living outside of the Care A Van service area would be to evaluate the applicant's ability to use the fixed route system independently, and grant eligibility if it were determined that a disability prevented fixed route use. The eligible individual would then be able to use Care A Van service to make trips for which both the origin and destination are within the Care A Van service area. It would be up to the individual to find a way to get to a pickup point within the service area for the pickup. The converse would be true for the return trip.

Three of the applicants who were denied eligibility appeared to be candidates for at least temporary eligibility (which KAT grants) or conditional eligibility (which KAT did not grant at the time of the on-site review). In one case, the individual and the health care professional both specified that the individual was unable to travel three blocks or climb steps due to a stroke, and that while it was not known how long the individual's condition would last, it was expected to be temporary. This applicant was denied eligibility because he resides near a bus route; granting at least temporary eligibility would seem to be a more appropriate decision.

In the other two cases, the applicants and their health care professionals specified that the individuals could not walk three blocks or any significant distance because of difficulty breathing due to congestive heart failure (one applicant had also suffered two strokes, and used a walker because his balance had been affected). The latter individual also stated that he occasionally uses the bus and is sometimes able to get where he needs to go on the bus, but is unable to get back home. One of these applicants was denied eligibility because he resides on a bus route and indicated that he can get to a bus stop; the other was denied because he did not meet paratransit eligibility standards. If conditional eligibility were part of the KAT process for determining eligibility, 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. 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.. If KAT does not adopt a policy of granting conditional eligibility to those riders who appear to be candidates for temporary eligibility or conditional eligibility, based on the information provided by their respective health professionals, it must grant full (or unconditional) eligibility to such individuals, rather than deny them eligibility for ADA paratransit service.

In ten other applications, it appears that more information would be needed to ensure that the denial of eligibility was the correct decision. One applicant, who was denied eligibility because she lives on a bus route, failed to provide a professional verification form. This applicant should have been asked to submit the missing form; her application should then have been evaluated without regard to her home address. In three other cases, a conversation with the health care professional would have most likely been enough to clarify how the person's condition affects his or her functional ability to use a bus, and whether or not it was a temporary condition.

The information contained in six of these ten applications did not describe clearly how the individual's disability or condition prevented use of the fixed route system. At a minimum, a conversation with the health care professional might have provided useful information. The opportunity afforded by an in-person interview or assessment to observe the applicants' functional ability and level of effort needed to perform the tasks and skills associated with using fixed route service would likely have made these eligibility determinations more accurate.

Finally, one applicant, whose application and professional verification form noted that her ability to walk and step up as high as a curb are limited by osteoarthritis of the knees, was denied eligibility because she lives on a bus route. In this case, a re-evaluation of the applicant's ability to use fixed route service, regardless of the location of her home in relation to a bus route, would be appropriate, and would most likely result in an approval of eligibility.

Section 137.125(c) of the DOT ADA regulations requires that if, by a date 21 days following the submission of a complete application, the entity has not made a determination of eligibility, and the applicant shall be treated as eligible and provided service until and unless the entity denies the application.

To assess the timeliness of eligibility determinations, the review team selected a random sample of 61 applications processed during July 2008, and February–March 2009.

The Transportation Coordinator often, but not always, uses the application form itself to record and track steps in the eligibility-determination process and the dates on which they occur, by making notes at the top of the form. Of the 61 applications in the sample, 24 were missing either the date that the completed application was received or the date of the eligibility decision. That left 37 applications in the sample.

Table 6.3 shows the elapsed time between the receipt of the completed application and the letter of determination for each of the 37 selected applications.

Thirty-one applicants (84 percent) in this sample were notified of their eligibility determination in 21 days or less following the receipt by KAT of a completed application. Processing time for those 31 applications ranged from 0 days (i.e., the eligibility determination was made on the day that the application was received) to 20 days. Decisions regarding the eligibility of five applicants were made in 22–28 days; an additional eligibility determination was made 33 days following submission of a completed application.

Table 6.3 – Application Processing Time for Eligibility Determinations

Days Required to Make Determination and Send Notification Letter	Number	Cumulative Total	Percent
7 or fewer days	11	11	30%
8–14 days	10	21	57%
15–21 days	10	31	84%
21 days or less	31	31	84%
22–28 days	5	36	98%
29–35 days	1	37	100%

Dates of key milestones in the eligibility-determination process were not recorded in a spreadsheet or written log, so that assessing and tracking processing time required looking at the dates recorded in each applicant's file.

KAT and KAC work closely together and both organizations are concerned about avoiding disruptions or delays in service to riders. KAT and KAC should work together to improve the monitoring of milestones in the paratransit eligibility process and the percentage of applications that are processed in 21 days.

Appeal Process

Section 137.125(g) of the DOT ADA regulations contains the requirements for administering the eligibility appeals process 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 2007 ADA Certification Policy that is sent to applicants who are denied eligibility states that the individual may appeal the decision by submitting a request within 30 days to the Director of Transportation for the City of Kenosha. The Director of Transportation and the Manager of Elder & Disability Services in the Kenosha County Department of Human Services, Division of Aging & Disability Services hear eligibility appeals. Individuals are given the opportunity to present additional information and have the option to attend may attend the hearing,. Care A Van transportation to the hearing is offered. The applicant is also able to use Care A Van to make a trip to his/her physician’s office prior to the hearing, if necessary.

The description of the appeal process sent to individuals who have been denied eligibility states that decisions will be made within 30 days of the appeal hearing. The description of the appeals process also states that, following the hearing, written notice of the committee’s decision is sent to the individual.

The review team analyzed the file associated with the single appeal hearing requested since the implementation of the formal eligibility process in July 2008.

The letter informing the applicant (who had eligibility and was applying for recertification) that she had been denied eligibility was dated September 2, 2008, and the applicant requested an appeal in writing on September 5. She also requested additional information at that time from her physician. The applicant submitted further information on October 16. At some point, a phone conversation took place between the applicant and the Director of Transportation, who told the applicant that she could take whatever time she needed to obtain more information from her physician. According to notes in the file from the Director of Transportation, an in-person interview with the appeal committee was held on November 25, The Manager of Elder & Disability Services participated in the interview, which was also attended by the Transportation Coordinator, and a friend accompanied the applicant. The applicant presented new information about a change in her condition and upcoming surgery. The Director of Transportation requested verification from a physician, and the Transportation Coordinator sent the more detailed medical verification forms to three physicians on November 24, according to the date on the fax cover sheet. Information from two of the physicians was received on December 2; on December 3, temporary eligibility for a period of four months (through April 1, 2009) was granted to the applicant. A request for information needed to recertify the individual was sent to her physician on March 13, 2009, and responses from both the applicant and the physician were received on April 24. On the basis of that information and an assessment of the terrain in the area near her home by the Transportation Coordinator, unconditional eligibility was granted to the applicant on May 1, 2009.

The documentation in the individual's file made it difficult to reconstruct the steps in the process and its timeline. For example, KAT did not have full records on the phone conversations between the applicant and KAT staff. There was no record of notification to the applicant of the time and date for the appeal hearing or formal written documentation of the results of the hearing. The date of the appeal hearing, according to notes in the file, is later than the faxed request for more information from the physicians as a result of the hearing. No copies of determination letters except the original denial of eligibility were included in the file.

6.5 No-Show Suspension Policy

Section 37.125(h) of the DOT ADA 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.” The regulations and Appendix D state that trips missed by riders for reasons beyond their control or due to system error shall not be a basis for determining that such a pattern or practice exists. The review team reviewed KAT's policies procedures and practices regarding no-show suspensions as part of the assessment.

KAT defines and explains its two no-show policies in the Care A Van Rider's Guide. The first occurs when a rider is not at the stated pickup point at the scheduled pickup time. In practice, Care A Van riders are given a ± 15 -minute pickup window. Wait time for the rider begins when the vehicle arrives at the pickup point and the arrival is within the ± 15 -minute window. The Driver waits for 5 minutes for the rider to appear. If the rider does not appear, he or she is considered a no-show. While the 5-minute waiting period is explained in the Rider's Guide, the

±15-minute window is not. The second type of no-show is defined as canceling a trip less than three hours in advance.

Three no-shows in 30 days result in a suspension of service for 30 days. After the second no-show, the Care A Van Coordinator sends a letter to the rider. The Care A Van Coordinator sends another letter to the rider after the third no-show, informing him/her of the 30-day suspension of service.

The review team analyzed a sample of suspension letters sent out by KAT. The suspension letter explains that the rider may appeal the decision using the same process that is used for eligibility-determination appeals. The individual is given the opportunity to submit a request for an appeal in writing within seven days of receipt of the notice of suspension. However, in the sample letters reviewed, the suspension of service was scheduled to begin prior to the end of the appeal period. In addition, the letters did not include information about the individual's continued eligibility for service while the appeal of the suspension is underway.

From January–September 2008, Care A Van recorded 485 no-shows, or 1.5 percent of all requested trips. Notices of suspension are included in the Care A Van rider's application file, but not recorded in a spreadsheet or separate log. The review team was therefore unable to tally the number of suspensions imposed due to no-shows over the past year. At the time, KAT staff stated that suspensions are imposed infrequently. In response to a follow-up question after the on-site review, KAT staff checked electronic files of letters sent to applications, and determined that there were no requests to appeal a suspension for no-shows in 2008.

6.6 Findings

1. At the time of the on-site review, the KAT ADA paratransit application form and related materials were not available in accessible formats. The DOT ADA regulations at section 37.125(b) require that that all information related to eligibility and the eligibility determination process must be made available in accessible formats upon request. Appendix D explains that accessible formats may include, but are not limited to: large print, electronic file on CD (individuals using a screen reader on a computer to read files may need Microsoft Word files rather than Acrobat PDF files), audiotape, or Braille. KAT staff stated that it is prepared to make the ADA complementary paratransit application form and related materials available in accessible formats upon request, but individuals are not informed that they may request an application in an alternate format.
2. KAT staff stated that it is aware of the requirement to provide visitors with eligibility for 21 days during a 365-day period and are prepared to grant visitor eligibility accordingly. However, the draft New ADA Certification Policy dated December 6, 2007, used to describe the eligibility-determination process to those who request an appeal of their eligibility decision, states that visitors with documentation from another transit system or a physician will be granted eligibility for the first 21 days of their visit and must submit an application for full eligibility after that time. Section 37.127(e) requires that KAT make service available for any combination of 21 days in a 365-day period. The policy fails to state other aspects of visitor eligibility, including that visitors who do not have documentation of eligibility from another transit system may be asked to provide documentation of their place of residence and their disability, if the latter is not apparent, and that KAT shall accept a certification from these such individuals that they are unable to use fixed route transit.

3. Individuals who are granted temporary eligibility are not provided with information about the process for appealing a decision to deny or limit ADA paratransit eligibility. Since temporary eligibility is a condition or limitation on the rider's eligibility, the notification letter should inform individuals of the right to appeal the decision, as required by §37.125(d) of the DOT ADA regulations.
4. The letter in use at the time of the on-site review notifying applicants of a denial of eligibility did not include the specific reasons for the decision or information on how to appeal the denial. The letter stated that the applicant was not prevented from using fixed route service. The DOT ADA regulations at § 37.125(d) require 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 finding. Appendix D explains that a mere recital that the applicant can use fixed route transit is not sufficient.
5. KAT must revise the draft New ADA Certification Policy, other public information materials and on its website that presumptive eligibility will be granted to applicants if KAT has not made an eligibility determination within 21 days of receiving a complete application. Pursuant to section 37.125(c), presumptive eligibility begins on the 22nd day and applicants will be treated as eligible and will receive service unless and until such time as they are denied eligibility.
6. The draft New ADA Certification Policy states that an applicant denied eligibility may appeal the decision by submitting a request within 30 days to the Director of Transportation for the City of Kenosha. Section 37.125(g)(1) requires that an applicant have at least 60 days to appeal.
7. The Director of Transportation and the Manager of Elder & Disability Services in the Kenosha County Department of Human Services, Division of Aging & Disability Services hear eligibility appeals. The DOT ADA regulations at 49 C.F.R. § 37.125(g)(2) require that that the eligibility appeal process includes a separation of functions, to ensure that someone not involved in the initial determination make the appeal decision. In addition, the person who decides the case on appeal, to the extent practicable, should not be a member of the same office or a supervisor or subordinate of the individual who made the original decision.
8. KAT's sample determination letters in use at the time of the on-site review did not include all of the elements required by § 37.125(d) of the DOT ADA regulations. The letters must be revised to include all of the required elements.
9. The file for the single applicant who appealed a denial of eligibility during the period July 2008 to May 2009 lacked documentation of key milestone dates in the process and did not include a copy of a letter notifying her of the outcome of the appeal hearing and providing specific reasons for the decision. Section 37.125(d) of the DOT ADA regulations require that written notification of the appeal decision and the reasons for it must be provided to the applicant.
10. KAT's late cancellation policy considers cancellations to be late—and the equivalent of a no-show—if made less than three hours before the scheduled pickup. Section 37.125(h) of the DOT ADA regulations allow transit systems to suspend service to riders for a reasonable period of time if they establish a pattern or practice of missing scheduled trips. Penalties for late cancellations may only be used if the late cancellation is the functional equivalent of a

no-show. The effects of a late cancellation must be operationally equivalent to a no-show in terms of the negative impact on the service. FTA does not view a cancellation three hours prior to a scheduled ride as having the same level of operational impact as a no-show. The slack time created by a cancellation that far in advance can be used to make room for the addition of other trips.

11. KAT’s written no-show policy at the time of the on-site review stated that suspensions of service would be imposed on riders who no-show three times in a period of 30 days. 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. Appendix D to the DOT ADA regulations states that suspension of service for no-shows are intended to prevent “a pattern or practice of ‘no-shows’” and further notes, “a pattern or practice involves intentional, repeated or regular actions, not isolated, accidental or singular incidents.” It is likely that a frequent rider could amass three no-shows in a 30-day period without meeting the definition of pattern and practice. In addition, the regulation states that trips missed by the transit provider cannot be counted against the rider and only those no-shows within the rider’s control can be counted against the rider.
12. Section 37.125(h)(2) of the DOT ADA regulations requires that before suspending service, the transit provider must the rider an opportunity to be heard and present evidence and arguments. Based on a review of a sample of KAT’s letters notifying customers of suspension of service for violation of the no-show policy, it appears that KAT schedules the start of the suspension period prior to the end of the period for filing an appeal. In addition the letters did not include notification that the proposed suspension or other sanction is stayed pending the outcome of the appeal under § 37.125(h)(3).
13. KAT allows seven days from the date that a rider receives a letter notifying him of a proposed suspension for no-shows for him to appeal the suspension. In prior compliance reviews, FTA has stated that this is not a reasonable time period and that a transit agency must allow at least 15 days from the date of the letter for a rider’s appeal.

6.7 Recommendations

1. KAT should note in the Care A Van Rider’s Guide, on its website, on the ADA application form, and other public information materials that information about ADA eligibility and the application process are available in alternative formats upon request. The same information should be included in printed and online public information about Care A Van service that is provided by KAC.
2. KAT should revise the draft New ADA Certification Policy to state that visitors to the KAT ADA paratransit service area will be provided with eligibility for any combination of 21 days within a 365-day period, rather than for the first 21 days of their visit. The policy should also state that visitors who do not have documentation of eligibility from another transit system will be granted eligibility for 21 days, but may be asked to provide documentation of their place of residence and their disability, if the latter is not apparent. KAT should also accept certification from such visitors that they are unable to use fixed route transit services, and should state that in the policy.

3. KAT should set up an individual file for each ADA paratransit applicant (in printed or electronic form) and keep copies of all correspondence with the individual and his/her medical professionals throughout the application process and any appeals that are conducted. Phone conversations should also be documented.
4. KAT should begin to track items such as dates of key milestones in the eligibility determination process, appeals requested and conducted, and suspensions of service (should a no-show suspension policy be adopted in the future) in spreadsheets or written logs. This would make it easier for KAT to monitor items such as eligibility application processing time and the incidence and resolution of appeals of eligibility determinations (and suspensions of service, should a no-show policy be adopted in the future). Tracking application processing dates will help to increase the number of applications that are processed within 21 days of the receipt of a completed application. The information could be recorded on the application form initially and later transferred to a log or spreadsheet, or entered directly into the log or spreadsheet.
5. KAT should send a copy of the draft New ADA Certification Policy to individuals who are granted temporary eligibility (or conditional eligibility, should KAT begin to grant such eligibility in the future). The policy should be revised to note that determinations of temporary or conditional eligibility may also be appealed.
6. When an individual's application for KAT ADA 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, KAT should conduct additional follow-up with the named health care professionals. KAT may further consider implementing the use of in-person interviews or assessments as part of its eligibility process, as an additional opportunity to obtain information about an applicant's abilities. If KAT considers implementing conditional eligibility, in-person interviews and assessments are an essential element of the process.
7. KAT should provide more detail regarding the basis for the decision in notification letters to applicants who are denied eligibility.
8. KAT should follow up periodically with physicians to whom applications have been sent for more information until that information is returned to KAT and a final eligibility determination can be made.
9. KAT should increase the percentage of applications that are processed in 21 days or less following receipt of a completed application.
10. KAT should maintain records of requests for appeals of eligibility determinations, and recertification decisions and the outcomes of those appeals. Denying an individual paratransit eligibility potentially denies his civil rights. Appendix D to the regulation explains that once granted eligibility takes on the weight of a property right and cannot be removed without providing administrative due process to the individual and the process must be thoroughly documented.
11. KAT may not deny or limit eligibility to a rider simply because he or she lives near a bus route or stop and is able to get to it.
12. KAT should amend its eligibility appeal policy to require that an appeal be filed within 60 days of the denial of an individual's application. The ADA Certification Policy that describes the appeal process should be revised accordingly to reflect the 60-day window.

13. The Director of Transportation and the Manager of Elder & Disability Services are members of the same office and/or supervise two of the individuals involved in original decisions to deny eligibility—the KAT Transportation Coordinator and the social worker from the Kenosha County Department of Human Services, Division of Aging & Disability Services. As part of efforts to change the composition of its ADA eligibility appeal committee to comply with the DOT ADA regulations, KAT should consider other potential members. A City of Kenosha ADA Compliance Officer, Civil Rights Officer, or disability commission representative might be an appropriate member of an appeal committee. Other options include staff of an independent living center or organization such as Easter Seals, American Red Cross, ARC, or United Cerebral Palsy; health care professionals; or consumer representatives. If it is not practicable to remove the Director of Transportation and the Manager of Aging & Disability Services from the appeal committee, they must at least be sure not to be involved in initial eligibility determinations or discuss determinations with the KAT Transportation Coordinator or the representative of the Division of Aging & Disability Services who make the initial eligibility determinations.
14. KAT should provide written notification of the outcome of appeal hearings that include specific reasons for the decision to individuals who appeal eligibility determinations in the future.
15. At a minimum, in order to clearly establish how an individual’s disability or condition prevented use of the fixed-route system, a conversation with the health care professional may be able to provide additional useful information when evaluating paratransit eligibility applications. The opportunity afforded by an in-person interview or assessment to observe the applicants’ functional ability and level of effort needed to perform the tasks and skills associated with using fixed route service are likely to make eligibility determinations more accurate.
16. KAT should change the medical verification portion of its ADA paratransit application form to a “professional verification” form, and broaden the types of professionals who may complete the form to include individuals such as physical or occupational therapists, case managers, rehabilitation counselors, social workers, independent living counselors, and registered nurses as well as physicians. Information from a health care or rehabilitation professional who is knowledgeable about the applicant’s disability and how it affects his/her ability to travel on the fixed route system will be just as useful, if not more so, for making eligibility determinations as the information that is provided by a physician, and may be more timely.
17. KAT should update and expand the printed and online public information materials regarding Care A Van service. The informational materials should include a brief description of Care A Van ADA paratransit service and eligibility criteria as well as information about how and where to obtain an application form, and how to use the service once eligible. It would be useful to include information about Care A Van ADA paratransit service on the websites of KAT, Kenosha County, and KAC.
18. KAT should provide a clear explanation of the upcoming recertification effort to Care A Van riders who will be asked to apply for ADA paratransit eligibility, either in a cover letter that is sent with the application form or in separate public information materials.

19. KAT should explain in the ACCESS Rider’s Guide, other public information materials, and on its website that presumptive eligibility will be granted to applicants if KAT has not made an eligibility determination within 21 days of submitting a complete application. Presumptive eligibility will begin on the 22nd day and applicants will be treated as eligible and will receive service, unless and until such time as they are denied eligibility.
20. KAT should include information about the appeal process in the letters that notify individuals that they have been granted temporary eligibility for ADA paratransit service.
21. KAT should modify its policy for late cancellations of ACCESS trips, which at the time of the review was three hours, to match its practices of allowing them until one hour of the pickup time.
22. KAT should revise its no-show suspension policy to look not only at an absolute number of a rider’s no-shows within a given period, but also the percentage of no-shows relative to the total number of trips requested within that period. The chosen threshold percentage should have some relationship to the system wide proportion of no-shows and should be adjusted upwards, so as not to unfairly penalize regular riders.
23. KAT should revise its no-show suspension policy and procedures to ensure that trips missed for reasons beyond the rider’s control, including trips missed by KAT, are not counted against the rider.
24. KAT should revise its policy on appealing suspension to ensure that it meets the requirements of § 37.125(h)(3). In addition, if KAT improves capacity in its telephone system, and as ridership increases it could consider allowing riders to call to contest an individual no-show in case the no-show could be resolved in the rider’s favor immediately.
25. KAT should give riders a more reasonable amount of time to file a written notice to contest a suspension, as a seven-day time period is unreasonable and is not common within the industry. In prior compliance reviews, FTA has stated that 15 days to file is reasonable. Furthermore, KAT must ensure that suspension periods are not scheduled to start prior to the end of the period for filing a request for an appeal.
26. KAT should modify its suspension letters to meet the requirements of § 37.125(h)(3), and reflect that the rider is not submitting a written request to appeal the decision (as this implies that the request may be denied) but rather that the rider has the right to file a notice to appeal the no-show in one of two ways. The rider has the opportunity to be heard by attending the meeting of the ADA Advisory Task Force and may elect to bring a representative. The rider can choose to waive the hearing and submit a written presentation. The revised letter should state that the suspension or other sanction is stayed pending the outcome of the appeal. FTA has stated in prior compliance reviews that 15 days is a reasonable amount of time for applicants to contest no-shows.

7 Telephone Access

Telephone access for placing or changing trip reservations or checking on 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. The review team collected the following information:

- Consumer input 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 Input

As noted previously, comments from riders and service agency staff contacted for input in advance of the on-site review did not mention telephone hold times, busy signals, or other issues as concerns. Among the complaints the review team analyzed that KAT had collected, none concerned telephone access.

7.2 Phone Service Standards and Performance Monitoring

KAT does not have a formal standard for telephone hold times, but KAC staff stated that every effort is made to ensure that calls from Care A Van customers are answered by the third or fourth ring.

7.3 Phone System Design

The DOT ADA regulations require that an agency accept trip requests, at minimum, made the day before the trip (49 CFR § 37.131(b)). Requests must be accepted during normal business hours, even on days that the agency may not otherwise be providing service (e.g., trip requests taken on Sunday for a trip on the following Monday). Section 37.131(b) also allows transit agencies negotiate pickup times up to one hour before or after the time requested by riders.

KAC utilizes an AT&T telephone system that includes three voice lines that are dedicated to 262-658-9093, the reservations and dispatch office. Calls to KAC's main number can also be transferred to that number, but only three calls may be answered at one time.

Reservations are accepted from 6 a.m. to 6 p.m., Monday –Friday, and from noon–5 p.m. on Saturday. Callers are able to place trip requests via an answering machine on Saturday mornings and all day Sunday and holidays. Messages left on Saturday morning are retrieved and handled by the dispatcher who comes on duty at noon. Messages left on Saturday evenings, Sundays, or holidays are not retrieved until the first dispatcher begins work at 6 a.m. on Monday. Although trips requested by voice mail on Saturday evening and Sunday are scheduled, if possible, and every customer receives a call back regarding his/her trip request, trips that customers plan for Monday morning may not be scheduled by KAC.

7.4 Reservations and Dispatch Staffing

Weekday shifts for the three KAC dispatchers are as follows: 6 a.m. to 2:30 p.m., 8 a.m. to 4:30 p.m., and 10 a.m. to 6:30 p.m. The Transportation Manager and Assistant Manager are also available to take calls on weekdays if necessary. One dispatcher is on duty from noon to 5 p.m. on Saturday.

7.5 Observations of the Call-Handling Process

The review team observed operations in the reservations and dispatch area for several hours in the afternoon of May 18 (Monday) and the morning of May 20 (Wednesday), 2009. During those times, KAC dispatchers promptly answered calls to the Care A Van reservations number. 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. There were times during the review team's observations when dispatchers were handling calls from customers on all three reservations/dispatch lines.

7.6 Telephone Performance Reports

KAC does not utilize an Automatic Call Distributor (ACD) system or otherwise track telephone hold times or the occurrence of busy signals.

Staff indicated that KAT is currently researching enhancements to the KAC phone system that would allow calls to the reservations/dispatch lines to be recorded, and generate performance statistics.

7.7 Findings

2. Trip reservations are taken by answering machine only on Sunday. KAC does not schedule or confirm trip requests made on Sunday (or Saturday evening) for Monday service until Monday morning. While it is acceptable to accept trip requests by answering machine, this does not comply with Section 37.131(b) of the DOT regulations to schedule and provide ADA complementary paratransit service for a request made the previous day.

7.8 Recommendations

1. KAT should have KAC check for any trip requests left on the answering machine during Sunday until 6 p.m. and schedule and confirm these trips by Sunday evening.
2. KAC should track and record telephone performance data to ensure it has sufficient telephone system capacity and staffing levels to handle calls for reservations and checks on trip status without significantly long wait times for consumers.
3. KAC should ask its telephone service provider, AT&T, to perform a busy signal study by hour on the Care A Van reservations/dispatch phone lines. This would allow KAT and KAC to monitor access to the reservation/dispatch lines to ensure that restricted access to reservations is not causing a capacity constraint.

8 Trip Reservations Process

In this portion of the compliance review, the review team examined how KAC handled trip requests from Care A Van riders. Section 37.131(b) of the DOT ADA regulations requires the transit system 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. Reservations may be taken by reservation agents or by “mechanical means” and can be made via “real-time scheduling.” 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. At the transit system’s discretion, reservations may be made up to 14 days in advance.

Particular attention was given to policies regarding trip reservations and whether KAT uses any form of trip caps or waiting lists. In addition, the review team researched whether there is 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:

- Consumer input from riders and advocates through telephone interviews, and through a review of comments and complaints on file at KAT
- Reservations policies and performance standards
- Service reports prepared by KAT 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 the review team and interviews with KAT staff about the ability to accommodate trip requests

8.1 Consumer Input

In the review team telephone interview, Care A Van riders had no negative comments regarding the reservations process. Several riders specifically stated that they rarely have to negotiate pickup times. One complaint received by KAT from September 2008 to May 15, 2009 referenced “difficulty in arranging transportation.”

8.2 Policies and Procedures

A February 19, 2009, KAC memo states, “the trip denial standard is 0% turndowns...No trips are denied without management approval. This policy was implemented in mid-2008.”

In material provided prior to the on-site review, KAT stated, “in 2008, an effort was made to more accurately record trip denial data. Once a conflicting appointment was taken, management was involved before any trip was denied in order to meet the 0% trip denial standard.”

The Care A Van flyer provided to riders states, “Reservations can be made up to the day before a ride is needed. Dispatch will book riders up to three weeks in advance.” The flyer also states that the available hours to accept reservations are weekdays from 6 a.m. to 6 p.m. and Saturdays from noon–5 p.m. There were no Sunday hours for accepting trip requests.

There were no written policies available to riders in the following topics:

- Service and fares for PCAs and guests
- Negotiating pickup times
- Pickup window
- Requesting trips by appointment time
- Late cancellation policies
- No-shows
- Will-calls
- Subscription service

As described in Chapter 7, KAC staff handles all trip requests. There is one dispatcher on duty on weekdays who takes reservations calls from 6–8 a.m. and from 4:30–6 p.m. From 8 a.m. to 4:30 p.m., there are at least two dispatchers on duty to take reservations calls. On Saturday, there is one dispatcher to take calls. KAC managers are also available on weekdays.

Riders can request a trip by specifying either a pickup or drop-off time. Riders can also request will-call service for return trips from medical appointments.

8.3 Subscription Service

Section 37.133 of the DOT ADA regulations governs 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 there is no capacity constraint, there is no limit to subscription service.

In practice, a large proportion of Care A Van trips are reserved by other means. Riders who travel for dialysis, adult day care, senior nutrition, and other regular trips have standing order (subscription) service. In addition, nine nursing homes and nine assisted living centers in the KAT service area fax trip requests to KAC for most trips taken by their clients.

8.4 Review of Recorded Trip Denials

According to data provided by KAT, there were denials for Care A Van during calendar years 2006, 2007, and 2009, as presented in Table 8.1.

Table 8.1 – Care A Van Denials

Calendar Year	Total Trips	Denials	% Denials of All Requests
2006	15,371	20	0.13
2007	17,204	21	0.12
2008	18,295	105	0.57

In 2008, KAT reported 103 denials through May, then two more denials in the final 7 months. In 2009 through the date of the on-site review, KAT reported no denials.

8.5 Observations of the Handling of Trip Requests

The review team listened to calls taken by KAC dispatchers on the afternoon of Monday, May 18 and the morning of Wednesday, May 20 for a total of 4 hours of observations.

The dispatchers recorded the trip requests by hand, entering them into date books. The review team heard negotiations only for same-day trip requests. During observations, the review team heard no denials.

Table 8.2 presents the distribution of days ahead for a total of 25 (one-way) trip requests. Based on this sample, the large portion of requests made three days or fewer ahead of the desired travel day indicates that riders do not feel compelled to call further ahead due to capacity constraints.

Table 8.2 – Distribution of Trip Requests by Days in Advance

Days in Advance	Number of One-way Trips
1 day	6
2 days	1
3 days	4
18 days	2
0 (medical will-call)	6
0 (same day)	6

Reservationists also took calls for trip confirmations, trip cancellations, “Where’s my ride?” inquiries, and other service questions.

There appeared to be a good relationship between KAC staff and riders. The dispatchers were very accommodating, particularly for same-day trips. On the other hand, the familiarity of the dispatchers with the Care A Van riders and their very informal process was a likely reason for inconsistency in other useful practices for trip reservations. These included:

- Inconsistent confirmation of trip information. This could be a source of incorrect pickup times and days.
- No confirmation of PCAs or guests. Drivers confirmed this in interviews with the review team.
- Inconsistent confirmation of addresses, and telephone numbers.

8.6 Findings

1. There were no written policies available to riders concerning: PCA and guests; negotiating pickup times; pickup windows; requesting trips by appointment time; late cancellation policies; no-shows; will-calls; or subscription service.

8.7 Recommendations

1. KAT should work with KAC to develop formal written policies concerning: PCA and guests; negotiating pickup times; pickup windows; requesting trips by appointment time; late cancellation policies; no-shows; will-calls; and subscription service. KAT should include these in an updated version of its guide for riders.
2. KAT should work with KAC to develop a script for dispatchers that includes a list of information that they should obtain and confirm with riders when recording trip requests.

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 that availability of service to paratransit eligible riders. The review team examined on-time performance, missed trips, and no-shows, and on-board travel times for KAT's ADA complementary paratransit service.

To assess service quality, the review team:

- Obtained consumer input regarding on-time performance and travel times through telephone interviews and a review of complaints filed with KAT
- Reviewed KAT's relevant service policies, procedures, and standards
- Observed KAT's scheduling and dispatch functions and interviewed the appropriate staff
- Interviewed vehicle operators about schedules provided and dispatch support received
- Reviewed KAT's on-time performance and travel time records
- 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 Input

During telephone interviews with the review team, Care A Van riders cited two issues regarding service performance. Most said that they were happy with the service provided by the drivers; they appreciated the availability of door-to-door service. Several riders also talked about late pickups, but they believed that these pickups were actually will-call requests (not required by the DOT regulations) rather than pickups taking place beyond the scheduled pickup times. None of the Care A Van riders mentioned concerns with long travel times.

Three complaints recorded by KAT from September 2008 to May 15, 2009 dealt with service performance:

- Rude communications by dispatch.
- A customer complained of a rough ride.
- Missed trip – a customer waited over one hour and 15 minutes for a return ride. Eventually the customer called a friend for a ride home.

9.2 Service Standards and Policies

On-Time Performance Policies and Standards

KAT had no written performance standard for on-time pickups or for on-time drop-offs at the time of the on-site review, but the operations manager stated that the window for an on-time pickup extends from 15 minutes before the requested time to 15 minutes after (± 15). Not all

drivers were familiar with the standard, although seven of the eight drivers believed that the on-time window was at least as narrow as the actual standard.

No-Show and Missed Trip Definitions and Performance Standards

A no-show is defined in the Care A Van Rider's Guide and web page as a failure of the rider to approach the van within 5 minutes after the scheduled pickup time. In addition, the web page states "any cancellation less than three hours in advance will be considered a no-show." A missed trip is understood to mean that the van simply does not show up at the rider's address.

Travel Time Policies and Standards

KAT had no performance standard for travel time.

9.3 Scheduling and Dispatching Procedures and Observations

KAC combines the functions of reservations, scheduling and dispatching. Three staff persons are assigned to work in the dispatch office providing coverage from 6 a.m. to 6:30 pm. The shifts for the three employees assigned to the dispatch office are:

- Early shift: 6 a.m. to 2:30 p.m.
- Middle shift: 8 a.m. to 4:30 p.m.
- Late shift: 10 a.m. to 6:30 p.m.

The dispatching office duty assignments list 33 separate tasks to be performed by dispatch office staff. All staff is responsible for answering the telephone and recording information on ride requests, and all three are responsible for entering new rider information into the computer system. The early and late shift personnel are primarily responsible for the scheduling and dispatching. Those duties include covering open routes as needed. The middle shift staff person is responsible for data verification for city and county driver manifests; completing the daily driver assignment sheet, reviewing pre-trip forms and notes and reporting them to the mechanic and making daily confirmation calls to customers.

Scheduling Procedures

KAC uses CTS Software, which does not have an automated or computer-assisted scheduling function. As a result the scheduling process is labor intensive. Scheduling is done using a "Day at-a-Glance" book with undated pages. During the last week of the month the schedules are "set up" in the date book for the next month. Setting up the schedules means writing one run number on a page for each date. When complete, the standing orders are written into the book on the appropriate run. About one half of the trips scheduled are standing-order trips. These trips are pre-scheduled and assigned runs (called trips by KAC).

After the standing-order trips are written in the book, trip requests are received in two ways, either by a trip request form or phone. A trip request form has been created and distributed to nursing homes and other residential facilities. The facilities fill out the form for their residents and fax them to the dispatch office. They are usually sent for the trips requested during the next month. The trips received via fax are entered into the book when received.

Riders may also call the dispatch office to request rides. When a call comes in, the book is checked to see if there is an available space on a run. The trip is written in the book on a run where the time is available. Generally the scheduled pick up time is set to one half hour before the required drop-off time. All scheduling of trips is done on the half hour, such as 9, 9:30, 10 and so on. If a person has an appointment time on other than the half hour, their pick up time is set more than one half hour before the appointment time. For example, while observing in the office, a customer called with a 9:45 a.m. appointment time. Their pick up time was set to 9 a.m. Return trips for non-medical related trips are set to the time requested by the customer. Return trips from medical appointments are treated as will calls. When a return time is assigned, generally 1–1.5 hours after the appointment, but the trips are placed on Run 599 (unassigned). Customers know to call the dispatch office when they are ready to return and a vehicle is dispatched as soon as possible.

The review team used the week of Monday April 20–Saturday April 25 as the sample week for analysis. For the week a total of 747 trips were performed by KAC. The distribution by day is shown in Table 9.1.

Table 9.1 – Trips and Runs per Day for Sample Week

Day and Date	Trips Performed	Runs
Monday April 20	152	13
Tuesday April 21	140	14
Wednesday April 22	165	15
Thursday April 23	130	13
Friday April 24	137	15
Saturday April 25	23	2

The runs listed in the table include a number of unassigned “599” runs. These are primarily made up of the will-call return trips from medical facilities. They are also available to assist drivers on other runs who have fallen behind schedule. Anywhere from two to six unassigned runs are in service on a given weekday. For the sample week, there were three unassigned runs on Monday, four on Tuesday and Thursday, five on Wednesday, and six on Friday. There were no unassigned runs for Saturday, April 25.

The review team looked at the unassigned runs for the sample week to check on two items. First the runs were reviewed to determine the average response times to will calls. The second item had to do with a review of trips on the unassigned run from the customer’s home address. If a trip from home is on an unassigned run it means that the trip was not scheduled the day before service. The review team wanted to check on the actual pickup time and compare it to the requested time for unassigned trips being picked up at home.

The review team identified 81 will-call trips home for the week. Of the 81, three had actual pickup times before the will call return times. Another three had no will call return time, leaving 75 trips for which the actual time could be compared to the time the customer called to request a return ride home. KAT has not established a policy regarding how quickly a will call trip must be provided after the customer has called to indicate they are ready to return home. The average response time for the 75 trips with actual times was 27 minutes. The range of time went from zero minutes to one hour and 32 minutes. Forty seven people (63 percent) were picked up within 30 minutes of calling and 71 people (95 percent) were picked up within one hour of calling dispatch.

For the sample week the review team identified 40 trips with a pickup at the customer's home that were not assigned to a run. Out of the 40 trips identified, six were marked as a canceled trip, and two trips had no actual arrival time recorded. Of the 32 remaining trips, 20 (63 percent) had vehicle arrival times at the scheduled time or earlier than the requested time. The remaining 12 trips had arrival times later than the scheduled time. Since KAT has no on-time window, a vehicle arriving after the scheduled time is late, regardless of whether it is 1 or 30 minutes. Of the 12 late trips, one was marked as a no-show, with an arrival time of 10 minutes after the scheduled time. A closer analysis of the late trips shows that six of the 12 trips were picked up to 15 minutes late. Another five were picked up 16–30 minutes late, and one trip was picked up 32 minutes late.

While observing the scheduling process the review team did not note any instances of trips denials. All trip requests were placed onto runs with the medical trips booked as will call returns.

Manifests are generally printed later in the afternoon (2:30–7:30 p.m.). After they are printed, they are tacked to the “city” bulletin board. The drivers can retrieve the manifests from the bulletin board at the end of their shift the day before service, or the morning of service when they report to work. Any changes that are received after the manifests are printed are then handwritten onto the appropriate driver manifest.

Dispatch Procedures

As noted above, the dispatch office is staffed from 6 a.m. to 6:30 p.m. Monday through Friday. On Saturday, the dispatch office is staffed from noon until 5 pm. On the weekends, the drivers check voice mail for cancellations prior to going out on their runs.

The dispatch office staff has a good rapport amongst themselves and with the drivers. Observations of communication with customers and drivers were conducted in a professional courteous manner. As customers call in to be returned from their medical appointments, the Dispatchers find the customer's name on the master 599 list. They determine the time the customer called to be picked up. They call drivers on the radio asking who is available to pick up the customer. When a driver responds that they can pick up the customer, the dispatcher notes on the master 599 list the run number and the driver who will be performing the trip. Later in the afternoon, about 4 p.m., a dispatcher will call check the master 599 list for persons who have not called for a pickup. They will call the doctor's office (or other medical facility) to determine which customers will need a ride home or which customers have found another way home.

On any given day dispatchers have at least two dedicated unscheduled runs to handle will calls. Depending upon driver availability, more unscheduled runs may be in service on any given day. For the sample week there were six unscheduled runs in service on Friday, but only three on Monday.

All KAC drivers are trained to operate all KAC vehicles, including ADA complementary paratransit vehicles. If a driver who is scheduled for paratransit service calls in sick, any available driver from the roster can cover the run. At the time of the on-site review there were 28 drivers listed on the roster. As reflected above in Table 9.1, 13–15 ADA runs are in service on any given weekday. There appears to be a sufficient number of drivers available to cover the designated ADA runs. Additionally, the early shift and late shift dispatchers are available to

cover runs if needed. There was one instance while the team was on site where the morning dispatcher was needed to drive a run.

The review team pulled the Daily Driver Assignment sheets for the sample week and compared the driver assignments to the driver information contained in the Daily Validation Management Report for the week. The purpose of the comparison was to determine if pullout requirements were being met and if any runs were closed during the week.

As noted earlier there are two types of runs. There are runs with scheduled trips (dedicated runs) and there are the unscheduled “599” runs, which primarily contain the return medical trips. On weekdays there are 10 dedicated runs and as many as six unscheduled runs. The drivers assigned to the unscheduled runs act as an extra board. If needed, a driver from an unscheduled run will cover a dedicated run should a driver call in sick. Table 9.2 shows the number of dedicated runs scheduled and closed for each day.

Table 9.2 – Dedicated Run Coverage (Monday–Saturday April 20–25)

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Dedicated Runs	10	10	10	10	10	2
Closed Runs	0	0	0	1	1	0

There were 52 dedicated runs scheduled for pullout during the sample week. On Thursday and Friday run 598 did not go out as scheduled and was not covered by one of the drivers assigned to operate a 599 run. Thursday and Friday of the sample week had the fewest trips of any day that week (130 and 127 trips, respectively). There were four 599 runs in service on Thursday and six on Friday.

The review team also compared the scheduled 599 runs with the Daily Validation Management Report. Table 9.3 shows the number of 599 runs scheduled, the number of runs closed because a driver covered a dedicated run, and the number of scheduled 599 runs that were not put into service.

Table 9.3 – 599 Run Coverage (Monday–Saturday April 20–25)

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Scheduled Runs	6	6	5	5	6	0
Runs Closed – Cover	2	1	0	0	0	0
Not in Service	1	1	0	1	0	0
In Service	3	4	5	4	6	0

On Monday, two drivers were reassigned from a 599 run to cover a dedicated run. On Tuesday, one driver was reassigned to cover a dedicated run. On three days during the week, one 599 run was not placed into service. For the sample week there were at least three 599 runs in service each day.

9.4 Driver Interviews

KAC has 28 people listed as drivers. The 28 drivers have a range of experience from one month to over 27 years. The average tenure for the drivers is approximately 5 years. Drivers are not specifically assigned to ADA service or agency service, but move around as needed.

While on-site the review team interviewed nine of the drivers, about a third of the drivers available for service. The average tenure for the drivers interviewed was about 4 years. Each driver was asked a series of questions about training, various aspects of the job, policies and procedures and vehicles.

Eight of the nine drivers indicated that they felt the training received was adequate. Most of the drivers indicated that training was a mix of watching videos (usually one day) and on the road training with an experienced driver (usually described as one day to one week). When asked about refresher training, eight of the nine drivers interviewed indicated that refresher training was provided. Driver meetings and watching videos were most often mentioned as the way refresher training was provided.

Drivers provided a range of answers to the question about the most difficult part of driving. One driver indicated that vehicle access in some areas was the toughest part of the job. Two drivers indicated that the most difficult part of the job was the schedules being “tight,” i.e., not enough time to provide timely pickups and drop-offs. Two drivers indicated that the traffic encountered while driving was the toughest part of their job. Other issues raised included wages, dealing with riders and working in the office (part-time driver).

Six of the nine drivers indicated that they felt the schedules they were given were too tight. One of the drivers indicated that the two Saturday schedules were too tight. This driver felt that an additional run was needed on Saturdays. Three of the drivers indicated that the schedules they were given had them driving back and forth across town.

When asked for the definition of an on-time pickup, six of the drivers indicated that picking the customer up at the scheduled time was considered on time (in essence the pickup window was 0 minutes before to 0 minutes after the scheduled pickup time). Three of the drivers indicated that getting to a stop 5–10 minutes early was considered on time. One driver indicated that if the pickup was at a nursing home that an arrival of 15 minutes before the scheduled time was on time.

On the related question of whether or not the passengers understood the on-time (or pickup) window, six of the drivers indicated the customers understood the scheduled time to be on time. Three drivers indicated that some customers will go early, or that the driver knew which customers would go early. Five of the nine drivers indicated issues with nursing home patients. These drivers indicated that the passenger residing in nursing homes are not always ready for pickup.

When asked if riders sometimes have a different pickup time than what is on the schedule, seven of the drivers indicated yes, it has happened. However five of the seven indicated it has happened “occasionally.”

Seven of the nine drivers indicated that it was necessary to arrive early in order to stay on schedule. Of those seven, three indicated that they wait until the scheduled time before continuing on, if the rider is not ready to board early, and one indicated that they would wait until 5 minutes past the scheduled time before continuing on.

Drivers were then asked what they did if a rider did not board the vehicle as scheduled. All nine drivers interviewed indicated that they wait until 5 minutes past the scheduled pick up time. Eight of the nine indicated the next step was to call dispatch. The answers varied about whether

or not dispatcher approval was needed before moving on, or if just notifying the dispatcher was sufficient before moving on.

Five of the nine drivers interviewed indicated that they sometimes ran late. One driver indicated never running late, one driver indicated running late 40 percent of the time, and one indicated running late 60 percent of the time. Five of the drivers indicated that dispatch would reassign trips when they (the driver) are running late. However, seven of the drivers indicated that drivers could trade trips with each other and then notify dispatch.

Three of the six drivers indicated that the instructions provided on the driver's manifest were helpful and accurate. Other drivers indicated that PCAs and guests were not noted and/or that there were no instructions provided concerning which entrance to pick up the customers from.

Five of the drivers interviewed indicated that the vehicles were in good repair, and one driver indicated that the vehicles were "older vehicles." All drivers interviewed indicated that any problems reported about the vehicles were addressed in a timely fashion.

9.5 On-Time Performance

Kenosha Transit does not have a written standard for on-time performance, either for pickups or drop-offs. As stated in earlier in this chapter (Section 9.2), the KAT operations manager cited an on-time window for pickups of ± 15 minutes. However, drivers were not familiar with this window and neither KAT nor KAC measures on-time performance on a regular basis with this window or any other window. In practice, drivers and dispatchers consider:

- A pickup is on time if performed at or before the negotiated pickup time.
- A drop-off is on time if performed at or before the negotiated drop-off time.

A KAC memo (February 19, 2009) stated, "management monitors time effectiveness from customer calls and actual data analysis. Two recent days were analyzed and the average wait time was 9.5–11 minutes. The most frequent complaint is after the appointment is completed and the rider is waiting for the return trip home."

Calculated On-Time Performance for Sample Day

The review team performed an independent calculation of on-time performance. The review team looked at driver manifests for three days during a sample week: April 20, 23, and 25, 2009, a Monday, a Thursday and a Saturday). They recorded route and time information (scheduled pickup time, actual pickup arrival time, actual drop-off time, and scheduled drop-off time) for every second trip on the manifests. The total sample for this analysis was 150 Care A Van trips. From this sample, the review team excluded medical will-call return trips from the on-time analysis, since these trips did not have a pre-scheduled pickup time. This left a set of 107 trips for analysis. Table 9.4 presents a summary of the pickup performance for the sample set of trips.

Table 9.4 – Calculated On-Time Pickup Performance (April 20, 23, and 25, 2009)

Pickups	Number	Percent
>60 minutes late	1	0.9%
>30 minutes late	4	3.7%
16-30 minutes late	10	9.3%
1-15 minutes late	28	26.2%
Exactly on time	28	26.2%
1-15 minutes early	31	29.0%
16-30 minutes early	4	3.7%
>30 minutes early	2	1.9%

The on-time performance, i.e., pickups that occur at or before the negotiated pickup time, was 60.7 percent. This means that the portion of late trips was 39.3 percent. Of the late trips, 26.2 percent were 1–15 minutes late; 13 percent were more than 15 minutes late.

Based on absolute standard of arriving at pickup time or earlier, this performance would be lacking. If one were to apply a window of ±15 minutes, then 81.3 percent of the trips would be within the pickup window. Furthermore, if one were to apply the window and include pickups that occurred before the beginning of the window, then on-time performance would be 87.0 percent. This is still below typical paratransit performance for a 30-minute pickup window.

Of the set of 107 sample trips, 77 had a designated appointment time. Table 9.5 presents a summary of the drop-off performance for the sample set of trips.

Table 9.5 – Calculated On-Time Drop-off Performance (April 20, 23, and 25, 2009)

Pickups	Number	Percent
>30 minutes late	2	2.6%
16–30 minutes late	0	0.0%
1–15 minutes late	12	15.6%
0–15 minutes early	39	50.6%
16–30 minutes early	21	27.3%
31–60 minutes early	3	3.9%
> 60 minutes early	0	0.0%

In the sample of trips with designated appointment (drop-off) times, 81.8 percent arrived before the appointment time. This means that 18.2 percent, or almost one out of every five drop-offs, were late. This is below typical paratransit performance.

However, only 2.6 percent (two trips) were more than 15 minutes late and only 3.9 percent (three trips) were more than 30 minutes early. This is a low proportion of significantly untimely drop-offs.

9.6 On-Board Ride Times

To assess on-board travel times for Care A Van ADA paratransit riders, the review team examined vehicle operator manifests for a sample week and identified trips with potentially long travel times from among those provided during that week.

As stated earlier in this chapter, KAT does not have a formal standard for travel time; however, the information provided in advance of the review indicated that the informal travel time standard is 30 minutes, because most pickups are scheduled 30 minutes prior to appointment times.

Travel Time Analysis

The review team conducted an analysis of a sample of Care A Van trips provided on Monday April 20, Wednesday April 23, and Saturday April 25. Table 9.5 shows the distribution of travel time for those trips, as determined by pick-up and drop-off times recorded on vehicle operator manifests.

Table 9.5 – Care A Van On-Board Travel Times (April 20, 23, and 25, 2009)

Number of Trips	150
Average Travel Time	22 minutes
< 15 minutes	35.3%
16–30 minutes	46.7%
31–45 minutes	14.0%
46–60 minutes	2.7%
61–90 minutes	1.3%
91–120 minutes	0%
> 120 minutes	0%

Driver manifests for the week of April 20–25, 2009 were also reviewed to identify trips with potentially long travel times for further analysis.

Trips with travel times of 40 minutes or longer were identified from manifests, where vehicle operators note arrival and departure times. Sixty-four such trips were identified. Many of the long trips were taken by the same customers to and from locations such as St. Catherine’s Dialysis and St. Joseph’s Adult Day Care. Other addresses that appeared repeatedly included Aurora Medical Center on Highway 50 and the Parkside nutrition site on 14th Place. Duplicates were eliminated from the list of long trips, leaving a sample of 24 trips.

Next, one of the KAT fixed route dispatchers assisted the review team by developing fixed route itineraries for those trips and estimating the comparable fixed route travel times using KAT maps and schedules.

Each estimate of fixed route travel time included the following components:

- Travel time on each bus route
- Transfers (waiting time) for multi-route trips (included in fixed route on-board time)
- Walking time at each end of the trip, using an estimated speed of three miles per hour (20 minutes per mile)

Table 9.6 shows the results of the comparison between paratransit and fixed route travel times for the 24 trips for which fixed route itineraries were developed. For each Care A Van paratransit trip, the table shows the origin and destination, the actual departure time from the pick-up 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.

The final two columns of the table compare the Care A Van paratransit services with KAT fixed route travel times. The “Travel Time Difference” column presents the difference in travel times between the two modes. A minus sign (-) indicates that the Care A Van 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 53 minutes. The average travel time for the comparable fixed route trips was 54 minutes, which includes both ride time on the bus and walking time to and from the bus stops. Nineteen of the fixed route trips required one transfer and one trip required two transfers. Four trips did not require a transfer.

Fourteen of the 24 itineraries, or 58 percent, had paratransit travel times that were longer than the comparable fixed route travel time. The differences in travel time between paratransit and the KAT fixed route services ranged from 3–33 minutes, with an average of 17 minutes. The remaining 10 paratransit trips, or 42 percent, would have taken more travel time using fixed route services, by an amount that ranged from 2–99 minutes, with an average of 27 minutes.

Comparison to KAT Travel Time Standards

KAT does not have a formal travel time standard, but considers maximum travel time to be 30 minutes because of the practice of scheduling pickups 30 minutes in advance of appointment times. For the sample of 150 trips provided during the week of April 20–25, 2009 for which travel time was calculated, 27 trips, or 18 percent of the sample, had travel times of 31 minutes or more, thus exceeding KAT’s informal travel time standard.

Table 9.6 – Comparison of Travel Times on KAT Care-A-Van Paratransit Service vs. Fixed Route for Selected Trips: April 20–25, 2009

Care-A-Van Paratransit Trip		Paratransit Travel Time		Fixed Route Equivalent					
Trip #	PU/DO Address (rounded to 100 block)	Actual PU/DO Times	Actual Ride Time (mins)	Itinerary (routes/transfers)	Start/End Times	On-Board Time (mins)	Walk Time	Total FR Travel Time	Paratransit Travel Time – FR Travel Time
1	7800 36 th Avenue 10300 Prairie Ridge	12:15 p.m. 12:58 p.m.	43	Rte 5; Rte 30; Rte 31; 1 transfer (Rte 30 becomes Rte 31)	12:20 p.m. 2:35 p.m.	135	7	142	-99
2	2700 15 th Place 7100 104 th Avenue	11:10 a.m. 11:54 a.m.	44	Rte 4; Rte 31; 1 transfer	11:10 a.m. 12:55 p.m.	105	0	-61	20
3	Aurora Medical Center, Highway 50 2500 14 th Place	3:15 p.m. 4 p.m.	45	Rte 31; Rte 30; Rte 4; 1 transfer (Rte 31 becomes Rte 30)	3:36 p.m. 4:50 p.m.	74	0	74	-29
4	9000 Sheridan Road Woodmans, Highway 50	12:40 p.m. 1:30 p.m.	50	Rte 3; Rte 30; Rte 31; 1 transfer (Rte 30 becomes Rte 31)	1:05 p.m. 3:21 p.m.	76	0	76	-26
5	St. Catherine's Dialysis, Highway 50 8600 32 nd Avenue	3:15 p.m. 4:05 p.m.	50	Rte 31; Rte 30; Rte 1; 1 transfer (Rte 31 becomes Rte 30)	3:50 p.m. 5 p.m.	70	0	70	-20
6	St. Joseph's Adult Day Care, 9300 29 th Avenue 5400 22 nd Street	5 p.m. 6 p.m.	60	Rte 2; Rte 5; 1 transfer	5:05 p.m. 5:50 p.m.	45	25	70	-10
7	5200 88 th Avenue 6000 22 nd Avenue	4:22 p.m. 5:02 p.m.	40	Rte 36; Rte 4; 1 transfer	4:17 p.m. 5:05 p.m.	48	2	50	-10
8	St. Catherine's Hospital, Highway 50 1900 27 th Avenue	3:25 p.m. 4:17 p.m.	52	Rte 31; Rte 4; Rte 5; 2 transfers	4 p.m. 5 p.m.	60	0	60	-8
9	2500 14 th Place Aurora Medical Center, Highway 50	1 p.m. 1:55 p.m.	55	Rte 4; Rte 31; Rte 30; 1 transfer (Rte 30 becomes Rte 31)	1:15 p.m. 2:16 p.m.	61	0	61	-6

Care-A-Van Paratransit Trip		Paratransit Travel Time		Fixed Route Equivalent					
Trip #	PU/DO Address (rounded to 100 block)	Actual PU/DO Times	Actual Ride Time (mins)	Itinerary (routes/transfers)	Start/End Times	On-Board Time (mins)	Walk Time	Total FR Travel Time	Paratransit Travel Time – FR Travel Time
10	3600 30 th Avenue 8600 32 nd Avenue	11:45 12:25 p.m.	40	Rte 1; 0 transfer	12:18 p.m. 1 p.m.	42	0	42	-2
11	6800 38 th Avenue 9300 29 th Avenue	7:08 7:52	44	Rte 5; Rte 2; 1 transfer	7:10 7:50	40	7	47	3
12	1100 82 nd Street 2600 14 th Place	9:15- 10	45	Rte 2; Rte 4; 1 transfer	9-9:55	35	7	42	3
13	Aurora Medical Center, Highway 50 5800 3 rd Avenue	4:25 p.m. 5:15 p.m.	50	Rte 31; Rte 30; Rte 2; 1 transfer (Rte 31 becomes Rte 30)	5:22 p.m. 6:08 p.m.	46	0	46	4
14	Brass Elementary, 6400 15 th Ave 6900 67 th Street	5:56 p.m. 6:38 p.m.	42	Rte 2; Rte 5; 1 transfer	5:55 p.m. 6:25 p.m.	3	5	35	7
15	9300 29 th Avenue 1300 52 nd Avenue	5:05 p.m. 6:22 p.m.	77	Rte 2; Rte 1; 1 transfer	5:05 p.m. 5:50 p.m.	45	23	68	9
16	9300 29 th Avenue 5400 22 nd Street	5:07 p.m. 6:20 p.m.	73	Rte 2; Rte 4; 1 transfer	3:05 p.m. 3:35 p.m.	25	38	63	10
17	95600 76 th Street 8400 Sheridan Road	2:45 p.m. 3:36 p.m.	51	Rte 31; Rte 30; Rte 2; 1 transfer (Rte 31 becomes Rte 30)	3:50 p.m. 4:48 p.m.	39	0	39	12
18	9300 29 th Avenue 2000 17 th Avenue	3 p.m. 4:05	65	Rte 2; Rte 6; 1 transfer	3:05 p.m. 3:44 p.m.	39	7	46	19
19	2600 14 th Place 7400 34 th Avenue	12:40 p.m. 1:35 p.m.	55	Rte 4; Rte 5; 1 transfer	115 p.m. 1:45 p.m.	30	5	35	20
20	St. Catherine's Dialysis, Highway 50 1900 22 nd Avenue	3:15 p.m. 4:40 p.m.	85	Rte 31; Rte 30; Rte 5; 1 transfer (Rte 31 becomes Rte 30)	3:50 p.m. 4:50 p.m.	60	0	60	25
21	5800 3 rd Avenue 9300 29 th Avenue	7:25 8:15	50	Rte 2; 0 transfer	7:27 7:50	23	0	23	27

Care-A-Van Paratransit Trip		Paratransit Travel Time		Fixed Route Equivalent					
Trip #	PU/DO Address (rounded to 100 block)	Actual PU/DO Times	Actual Ride Time (mins)	Itinerary (routes/transfers)	Start/End Times	On-Board Time (mins)	Walk Time	Total FR Travel Time	Paratransit Travel Time – FR Travel Time
22	4800 29 th Avenue 9300 29 th Avenue	7 a.m. 8:15	75	Rte 1; Rte 25; 1 transfer	7:10 7:50	40	5	45	30
23	3100 Washington Road 6100 Green Bay Road	1:25 p.m. 2:05 p.m.	40	Rte 6; 0 transfer	1:48 p.m. 1:55 p.m.	7	2	9	31
24	2500 18 th Street 2600 14 th Place	11 a.m. 11:40	40	Rte 4; 0 transfer	11:07 11:14	7	0	7	33
Average			53			49	5	54	

9.7 Findings

1. Section 37.131(f)(3)(i)(A) of the DOT ADA regulations prevents transit providers from limiting the availability of paratransit service by a pattern or practice of a substantial number of significantly untimely pickups, drop-offs or arrivals. KAT had no written performance standard for on-time pickups or for on-time drop-offs. The KAT operations manager stated that the window for an on-time pickup extends from 15 minutes before the requested time to 15 minutes after (± 15). Not all drivers were familiar with the standard, nor does either KAT or KAC monitor on-time performance.

9.8 Recommendations

1. KAT should establish on-time windows for both pickups and drop-offs. KAT and KAC should ensure that all KAC staff is aware of these windows. KAT should publicize these windows to its riders, including presenting them in a revised Rider Guide.
2. KAT should request on-time performance data from KAC on a regular basis and monitor this performance.
3. KAC should work to improve on-time performance for both pickups and drop-offs. Creating standards and informing the drivers of the standards may be the initial steps in improving performance.
4. KAT should adopt an explicit travel time standard that is based on comparability with fixed route travel times, and monitor actual travel times to ensure that service performs within that standard.
5. KAT should examine regularly scheduled runs to dialysis facilities, adult day care locations, and nutrition sites to identify consumers who regularly experience long travel times. In cases where Care A Van paratransit travel times are not comparable to fixed route travel times, breaking those runs into smaller segments should be considered, or else this may create a capacity constraint.
6. KAC should discontinue the practice of scheduling trips on the half hour, as well as routinely scheduling pickups 30 minutes prior to the appointment time. When appropriate, longer (or shorter) travel times may be needed to get a rider to his or her destination on time.
7. The policy regarding the proper procedures for handling no-shows should be reviewed with the drivers to ensure that the proper procedures are understood and followed.
8. KAC should require the dispatchers to approve any change in the driver schedules, including “trading” trips. The purpose of this recommendation is not to limit the initiative of the drivers in any way, but it is to recognize that the dispatch office should have the final authority on the movement of trips. The dispatch office has the master “599” (unscheduled trip) list and has the information necessary to determine if the transfer of one trip between drivers is the best use of resources.

10 Resources

As with Telephone Access and Service Performance, Section 27.133 (f) of the DOT ADA regulations (Capacity Constraints) recognizes that service quality can constitute a capacity constraint that limits the availability of service to paratransit-eligible riders. Consequently, the review team examined the resources made available by KAT to provide ADA complementary paratransit service. This information included:

- Consumer input on driver performance and vehicle condition
- Input from drivers on training 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 the paratransit ridership in the KAT service area with ridership in other systems using a national paratransit demand model.

10.1 Consumer Input

Among the rider complaints between September 2008 and May 15, 2009, one rider complained of a rough ride. No issues specifically relating to resources were raised in the telephone interviews with Care A Van riders.

10.2 Vehicle Fleet

Vehicle Age and Condition

At the time of the on-site review, KAC had a total fleet of 30 vehicles. It assigned up to 17 vehicles to provide paratransit service. Table 10.1 lists the vehicles assigned to provide paratransit service. As shown, eight vehicles were model years (MY) 2004 or older, all of which had over 100,000 miles. Five of these eight vehicles (MY 2001, 2002, and 2003) can be considered to be beyond their estimated useful life (5 years or 150,000 miles). The average age of the 17 paratransit vehicles was 3.8 years and the average mileage was 92,000 miles.

KAC staff indicated that 11 new vehicles were on order for 2009, four of which were to be placed into paratransit service. If KAC had replaced the four oldest vehicles in the paratransit fleet with these new vehicles the average age of the fleet would drop to 3 years and the average odometer reading would be less than 50,000 miles.

Table 10.1 – KAC Paratransit Fleet

Vehicle Number	Model Year	Vehicle	Mileage
75	2001	Ford Bus	249,073
76	2002	Ford E-350	181,139
77	2002	Ford E-450	216,572
78	2003	Ford Bus	178,093
79	2003	Ford Bus	93,108
80	2004	Ford Bus	101,969
81	2004	Ford Bus	148,039
84	2006	Ford Bus	84,992
89	2006	Ford E-350	60,098
97	2007	Starcraft Mini Bus	31,767
98	2007	Starcraft Mini Bus	32,491
99	2007	Starcraft Medium Bus	40,462
100	2008	Ford Bus	9,913
101	2008	Ford Bus	3,350
102	2008	Ford Starcraft	6,011
103	2008	Ford Starcraft	5,146
104	2004	Ford Small Bus	116,137

Vehicle Availability and Spare Ratios

Because KAC has vehicles that are used in service other than ADA service, vehicle availability has not been an issue. KAC is able to use vehicles not assigned to ADA service should the need arise. For the sample week analyzed by the review team, KAC always had sufficient number and type of vehicles to provide Care A Van service.

During interviews with the review team, drivers discussed the condition of the vehicles. They also were asked if repairs were made promptly when they identified mechanical or condition issues. Five of the nine drivers interviewed indicated that the vehicles were in good repair, one indicated that they were older vehicles, and three had no comment on the condition of the vehicles. All nine drivers indicated that problems were addressed when reported.

10.3 Staffing and Driver Training

At the time of the on-site review, KAC had a total of 28 drivers (19 full-time and nine part-time). As presented in Chapter 9, the maximum number of daily runs was 15 for Care A Van service. In practice, KAC is able to pull drivers from other KAC contract services, as needed.

The KAC drivers, on average, had better than average experience for a paratransit operation. At the time of the on-site review, their average tenure with KAC was 5 years, 2 months. As noted in Chapter 9, based on the driver interviews and review team observations of dispatch operations, the drivers appeared to have a good working relationship with the dispatchers.

Training

Training for new drivers consists of classroom work (about 3 days) and road training. The classroom training is primarily videos. Road training consists of sitting with senior drivers as

they perform their runs. This may last up to one week. KAC has no dedicated trainer for drivers.

As reported in Chapter 9, eight of the nine drivers interviewed by the review team indicated that they felt the training received was adequate. When asked about refresher training, eight of the nine drivers interviewed indicated that refresher training was provided. Driver meetings and watching videos were most often mentioned as the way refresher training was provided.

KAC's driver training program may be sufficient for providing the skills and information that they need to carry out their job properly. The review team did not observe any issues or particular incidents that would suggest insufficient training. The overall training program, however, does appear marginal, particularly with a driver staff of 28 and no dedicated driver trainer.

10.4 Run Coverage

As noted in Chapter 9, of the 52 dedicated runs scheduled for Care A Van during the sample week (April 20–26, 2009) analyzed by the review team, KAC chose not to operate two runs: one each on Thursday and Friday. These two days had the lowest ridership of the five weekdays. This indicates that there does not appear to be a shortage of drivers or vehicles relative to the scheduled Care A Van service. However, based on the on-time performance—both for pickups and drop-offs—for the trips analyzed during the sample week, KAC would have to improve its scheduling or operate more vehicle runs to improve service quality.

10.5 Other Resources

As presented in Chapter 7, KAC's operations staff consists of three full-time workers. They share the tasks of taking reservations, scheduling, and dispatching on weekdays from 6 a.m. to 6:30 p.m. Available for backup are the transportation manager and assistant manager. There is also one dispatcher on duty from noon to 5 p.m. on Saturday.

During weekdays, this appears to be sufficient staffing. As noted in Chapter 7, there did not appear to be problems with telephone hold times. Collectively, the KAC staff appeared to have the required skills to perform their jobs to provide Care A Van service. However, as noted in Chapter 8, there is no one in the office on Sunday. KAC relies on an answering machine to accept trip requests for Monday service. KAC does not schedule and confirm any trips requested on Sunday until Monday morning. While relying on an answering machine to take trip requests is acceptable, the lack of confirmation until Monday does not comply with the DOT regulations.

The KAT transportation coordinator is the only KAT staff member focused on paratransit service. The coordinator's responsibilities include monitoring KAC's service and running the eligibility program, as well as other responsibilities beyond paratransit activities. Based on the assessment of the eligibility determination process and the determination outcomes (Chapter 6), it appears that the transportation coordinator would benefit from formal training in paratransit and specifically, eligibility.

For KAC's fleet of 30 vehicles, there is one full-time mechanic. This is a very high ratio of vehicles to maintenance staff. The KAT transportation director noted that much of the maintenance work is contracted out. Furthermore, if the average fleet age becomes younger, there will likely be less maintenance required: a combination of vehicles being under warranty

and newer vehicles being more reliable. Nevertheless, having only one mechanic places KAC and KAT in a tenuous position. This is a potential concern for maintaining reliable service.

10.6 Planning, Budgeting, and Funding

As described in Chapter 3, the City of Kenosha, as the operator of the KAT fixed route bus service, is the entity responsible for providing complementary paratransit service under DOT ADA regulations. However, KAC operates the Care A Van ADA complementary paratransit service under contract to the Kenosha County Department of Human Services. The contract between the County and KAC states, “City Paratransit is intended to satisfy the Kenosha City Transit’s responsibility to provide complementary paratransit service under the ADA” (Exhibit 3, page 14).

The City and County are separate government entities. According to the County’s Manager of Elder & Disability Services (who oversees the KAC contract), the relationship among the County, City, and KAC is a “legacy” of their historic roles. Since the 1970s, the County has been the primary recipient of the state’s social service funding, including funding for transportation services for senior citizens and persons with disabilities. KAC had been the contractor for specialized transportation in Kenosha County even before its existing relation with the County government.

There appears to be a good working relationship among KAT, the County, and KAC. KAT and the County are pooling their resources for more efficient service for all the constituencies who need specialized transportation. In practice, this coordination appears to work for the paratransit riders. As an example of this coordination beyond the KAC service, KAT and the County each pay for 50 percent of KAT’s transportation coordinator position.

However, this unusual arrangement has several drawbacks. Most importantly, KAT does not legally control its own complementary paratransit service. The continued operation of Care A Van relies on an agreement between another public agency and a private contractor. While the relationships between KAT and the County have been positive, KAT is relying on this to continue. Furthermore, since KAT does not have a contractual relationship with KAC, it does not have formal authority over service performance. As this report has presented in previous chapters, there are few performance standards in place. There is a review of reported denials, but no other formal measures of service quality.

Operating Budgets

At the time of the on-site review, the County had a contract with KAC to provide Care A Van service for five years through the end of Fiscal Year (FY) 2010. The County reimburses KAC per vehicle hour, with the rate negotiated each fiscal year. In calendar year 2009, the reimbursement rate was \$27.21 per live vehicle hour.

Table 10.2 presents Care A Van ridership and operating costs for 2005–2009. The cost per trip has been fairly steady, but total costs have risen as ridership has increased from 14,808–21,750 from 2005–2009. This represents a 4-year increase of 46.9 percent, or an average of 10.1 percent annually.

Table 10.2 – Ridership and Budget for Care A Van

Year	Ridership	Change (Percent)	Operating Costs	Cost Per Trip
2005	14,808	—	\$163,646	\$11.05
2006	15,258	3.0	\$174,583	\$11.44
2007	16,992	11.4	\$185,652	\$10.93
2008	18,295	7.7	\$210,295	\$11.49
2009	21,750	18.9	\$247,073	\$11.36

Source: National Transit Database

KAT—through the City of Kenosha—and the County each roughly pay for half the operating costs. Funds from Medicaid, “Family Care” (private agency), and fare revenue also contribute to the total operating budget.

During the contract in place at the time of the on-site review, if the budget developed by the County is less than the actual expenses, KAT agreed to make up for any shortfall. If actual costs are less than budget, the County maintains a surplus fund for future years.

10.7 Analysis of Ridership

As shown in Table 10.2, the actual Care A Van ridership for 2009 was 21,750 one-way passenger trips. To determine how this level of ridership compared with other transit properties, the review team used a recently developed national ADA paratransit ridership model to estimate the predicted ADA paratransit ridership in the KAT service area. The national 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 paratransit demand. The model estimates ADA 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 eligibility is used to do trip-by-trip eligibility in operations.

To estimate demand for the KAT service area using this national model, the review team used the data presented in Table 10.3.

Table 10.3 – Input Value for TCRP Model for ADA Paratransit Demand

Factor	Value for KAT
ADA service area population (2000 census)	91,500
Base fare for ADA paratransit (\$)	\$2.50
Percent of applicants for ADA paratransit found conditionally eligible	0.0
Conditional trip determination used (0=No, 1=Yes)	0
Percent of ADA service area population in households with 1999-2000 income below poverty line	8.4
Effective on-time window for ADA paratransit (minutes)	30

While Care A Van does not have a formal on-time window, the informal window of 30 minutes was used (a smaller window would yield a higher demand estimate). The poverty rate is an estimate, based on the poverty rate for the Racine, WI metropolitan area.

Using these factors, the TCRP model estimated an annual demand for ADA paratransit service in the KAT service area to be 70,748 one-way trips (0.77 annual trips per capita). This is more than three times higher than the actual ridership for 2009. While some of this difference may be attributable to specialized transportation services offsetting the demand in the KAT service area, the large difference between the actual ridership and the model's projected demand for service likely indicates a strong latent demand that KAT will have to meet in the future.

10.8 Findings

1. There is no one in the KAC office accepting trip requests on Sunday. KAC relies on an answering machine to accept trip requests for Monday service. KAC does not schedule and confirm any trips requested on Sunday until Monday morning. Section 37.131(b)(2) permits a transit provider to negotiate pickup times with individual riders, but cannot require scheduling of a trip to begin more than one hour before or after their desired departure time. While relying on an answering machine to take trip requests is acceptable, the lack of confirmation until Monday does not comply with the DOT regulations when it affects trip scheduling beyond what is permitted by the regulations.

10.9 Recommendations

1. KAT should ensure that there is a way for trip requests made on Sunday for Monday service to be scheduled and confirmed on Sunday. This may be resolved by having a KAC staff member check the answering messages on Sunday evening and schedule and confirm any requested trips that evening.
2. KAT must exercise full legal control over its ADA paratransit operations and services. Toward that end, KAT should strongly consider entering into a direct contract with the contractor that will be operating its ADA complementary paratransit service. KAT can continue to coordinate on various levels with the County to provide more efficient specialized transportation services; however, its lack of legal control over its required service is problematic.
3. KAT should encourage KAC to create a position for a dedicated driver trainer, or provide direct training to drivers who will be operating complementary paratransit services on its behalf.
4. Given KAC's on-time performance, KAT should investigate ways to improve KAC's scheduling or operate more vehicle runs to improve service quality for ADA complementary paratransit passengers.
5. KAT should investigate having its transportation coordinator take classes in paratransit eligibility and management—such as those offered by the National Transit Institute.
6. KAT should encourage KAC to hire additional staff for vehicle maintenance, or hire its own maintenance staff to ensure availability of vehicles needed to provide ADA complementary paratransit service on its behalf.

7. KAT should investigate the potential causes for its current paratransit ridership to fall so far below the demand estimated by the TCRP demand model. KAT may be able to identify the reasons for the great variance between ridership and predicted demand. KAT may also need to prepare for a greatly expanded service in the future.

Attachment A
KAT Response to Draft Report

Attachment B
FTA Notification Letter



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

Headquarters

East Building, 5th Floor - TCR
1200 New Jersey Ave., SE
Washington, D.C. 20590 —

February 6, 2009

Len Brandrup
Director of Transportation
Kenosha Transit Authority
4303 39th Ave
Kenosha, WI 53144

Dear Mr. Brandrup:

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. Kenosha Transit has been selected for such a review. The focus of the review will be Kenosha Transit'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 Kenosha Transit's ADA complementary 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, with TranSystems Corp. of Medford, MA, to conduct the compliance review. Representatives of PCI, TranSystems, and FTA will participate in the opening and exit conferences. Mr. Jonathan Klein, Program Manager for this review, has already contacted your organization to notify you of the on-site visit and has confirmed Monday, May 18, 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 ADA complementary paratransit services manager, the ADA coordinator, and other key staff. During the opening conference, 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 Kenosha Transit'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 Kenosha Transit 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

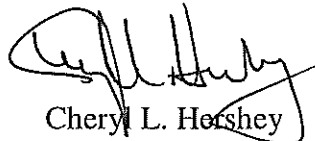
Enclosure 2 consists of items that will be needed at the initiation of the review.

We request that the exit conference be scheduled for 2 p.m. on Thursday, May 21, 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 ADA complementary paratransit services 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 final, it will be a public document and subject to the Freedom of Information Act upon request.

Kenosha 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 Jonathan Klein at 202-366-0809 or at his e-mail address: *jonathan.klein@dot.gov*. You may also contact Mr. Purdy, whose contact information is included, 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 L. Hershey
Director
FTA Office of Civil Rights

Enclosures

cc: Marisol Simon, FTA Region V Administrator
Dwight Sinks, FTA Region V Civil Rights Officer
Dominick J. Gatto, FTA Region V Director of Program Management & Oversight

Enclosure 1

The following information must be submitted to PCI within 21 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.

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

**ADA Complementary Paratransit Compliance Assessment
Kenosha Area Transit (KAT)
May 18–21, 2009
Schedule**

Time	Activity	Who	Where
Monday, May 18, 2009			
9 a.m.	➤ Opening Conference	All	Kenosha Transit 4303 39th Ave.
9:30 a.m.	➤ Review information requested and policies & procedures with Care A Van manager	All	
10:30 a.m.	➤ Review Care A Van complaints ➤ Review budget and resources ➤ Review eligibility process and records	Procopio Chia Monahan	
2 p.m.	➤ Tour facility	Procopio, Chia	Kenosha Achievement Center: 7915 Sheridan Rd.
2:30 p.m.	➤ Observe call-takers; record trip request information	Procopio, Chia	
Tuesday, May 19, 2009			
8 a.m.	➤ Review schedules; pull-out and fleet ➤ Observe call-takers; record trip request information	Procopio Chia, Monahan	Kenosha Achievement Center
10 a.m.	➤ Review telephone system and performance ➤ Analyze service area, hours and fares ➤ Interview scheduler	Monahan Chia Procopio	
11 a.m.	➤ Interview Drivers	Procopio, Monahan	
1 p.m.	➤ Analyze on-time performance; no-shows ➤ Interview drivers ➤ Conduct trip length analysis	Chia Procopio Monahan	
3 p.m.	➤ Observe dispatch	Procopio	
Wednesday, May 20, 2009			
8 a.m.	➤ Observe dispatch ➤ Continue trip length analysis	Procopio, Chia Monahan	
10 a.m.	➤ Continue review of complaints ➤ Continue analysis of on-time performance	Procopio Chia	
3 p.m.	➤ Interview drivers	Procopio, Monahan	
Thursday, May 21, 2009			
Morning	➤ Complete preliminary data analysis & remaining detail work ➤ Prepare materials for debriefing session	All	
2 p.m.	➤ Exit Conference	All	Kenosha Transit

Attachment D
Care A Van Brochure

ACCESSIBLE TRANSPORTATION

**for Older Adults
and
Persons with Disabilities**

**Provided by
Kenosha Achievement
Center, Inc.**



Care A Van funding and coordination are provided from these public agencies:

**Kenosha County Division of
Aging & Disability Services**

262-605-6646 or
1-800-472-8008

**City of Kenosha
Kenosha Area Transit**

262-653-4290

**State of Wisconsin
Department of
Transportation**

Kenosha County

CARE A VAN

takes you
where you
want to go!



Care A Van
658-9093

Updated by hand 1/09

Kenosha Achievement Center, Inc.
1218 - 79th Street
Kenosha, WI 53143

CARE A VAN SERVICE

Paratransit

Care A Van transportation is available for persons living east of I-94 who cannot use the city bus or who do not have access to public transportation.



Vehicles are wheel chair accessible and trained drivers provide passenger assistance. Reservations can be made up to the day before a ride is needed. Dispatch will book rides up to three weeks in advance.



COST

\$5.00 effective 1-1-09
~~2.50~~ ~~\$4.00~~ Round Trip
~~\$2.00~~ Round Trip to Nutrition Sites
~~\$2.00~~ for each additional destination
2.50

For persons living west of I-94 Western Kenosha County Transit offers accessible transportation: Call 1-888-203-3498.

EAST

by
Kenosha Achievement Center

658-9093

Serves persons in Kenosha east of I-94



SCHEDULE

Monday - Saturday - Friday
6:00 am - 7:30 pm

Saturday 6:00am - 6:00pm

Rides are available to any destination east of I-94 for any purpose: medical appointments, shopping, personal business, recreation, etc.

Transportation is also available to the noon meals at nutrition sites:

- ◆ Kenosha Senior Center
- ◆ Parkside Baptist Church
- ◆ St. Paul's Lutheran Church
- ◆ Lakeside Towers

SUNDAY

by
Kenosha Achievement Center

262-658-9093

Serves persons east of I-94



SCHEDULE

Sunday
10:05 am - 5:35 pm

Rides are available from and to any destination within three-quarter mile radius of Kenosha Electric Car Route for any purpose.

Dispatch is available to take reservations Monday through Friday 6:00 am - 6:00 pm and Saturdays 12:00 noon - 5:00 pm

Please call at least one day in advance.

This schedule begins October 29, 2007.

Attachment E
Application for ADA Complementary Paratransit



*ADA
Paratransit
Application*



Care-a-Van paratransit service is door-to-door public transportation for people who are unable to ride a fixed route bus because of a physical or mental disability. This service is intended only for those trips that the person cannot make on the bus system. Completing this application form will help us to determine when and under what circumstances the applicant can use Care-a-Van buses and when Care-a-Van paratransit service is required. Before completing this application form, please read the enclosed guidelines that describe eligibility for ADA paratransit service in more detail.

INSTRUCTIONS FOR COMPLETING THIS FORM:

The applicant (or someone assisting them) must complete Parts 1-6. A licensed physician must complete and sign the Medical Verification page.

All questions must be answered. Incomplete forms will be returned.

If you need assistance in completing the form, or have any questions about ADA service and eligibility, please feel free to contact our office at:

(262) 653-4290 Voice
(800) 947-6827 TTY

WHEN COMPLETED, PLEASE RETURN THE ENTIRE FORM TO:

Kenosha Area Transit
4303 39th Avenue
Kenosha, WI 53144
FAX: (262) 653-4295

NOTE: THIS FORM REQUIRES ADDITIONAL POSTAGE IF MAILED

Dear Applicant:

There are two ADA Paratransit Eligibility Standards:

1. Your disability **prevents** you from navigating the system (i.e. getting on, riding, or getting off the bus) without the assistance of another individual. Please note that most Kenosha Area Transit buses are lift-equipped or ramp-equipped for the disabled.
2. Your disability **prevents** you from traveling to or from a bus stop location.

After reviewing the above, if you feel that your disability may fit into one of the standards, please continue with this application form. If you do not meet the criteria defined herein, please contact Kenosha Area Transit at (262) 653-4287 for information on fixed route bus service.

There are two types of ADA Paratransit eligibility:

1. Unconditional - this eligibility is granted if your disability prevents you from using Kenosha Area Transit bus service for any trips that you might need to make.
2. Conditional - this eligibility is granted if you can use buses some of the time, but need van service under certain circumstances.

The information you provide about your disability will be kept strictly confidential. Kenosha Area Transit staff will review your application and determine your eligibility. It is extremely important that your application be filled out completely. Any incomplete applications will be returned. Properly completed applications will be processed within 21 days of receipt. If you have not heard from us in 21 days, please call and we will provide you with van service until your application is processed. Please note that in some instances, we may not be able to determine your eligibility without further information. The submission of this application does not guarantee eligibility. Applicants will be notified in writing of the approval or denial of eligibility, and in the case of denial, the reason(s) for such. In the event that eligibility is denied, a description of the appeals process will be included with the written determination. If we determine that you are eligible for ADA service (either unconditionally or conditionally), a Care-a-Van Paratransit Guide will be sent to you, along with your Kenosha Area Transit identification card.



SECTION ONE

PLEASE TYPE OR PRINT

<i>For office use only:</i>	
Date Received	_____
Status	_____
Category	_____
Effective Date	_____
Expiration Date	_____

1. Last Name _____

First Name _____ M.I. _____

2. Address _____

(Include facility name if applicable)

City _____ State _____ Zip _____ - _____

3. Telephone number *(best number to reach you)* () - _____

4. Date of Birth ____ / ____ / ____

5. Are you receiving Medicaid (MA)? *(Not to be confused with Medicare)* Yes No

Please answer the following questions in detail. Specific answers will help us in determining your eligibility. Incomplete applications will be returned to the applicant.

6. What is the disability that **prevents** you from using Kenosha Area Transit fixed route service?

Is this condition temporary? Yes No If "Yes", the expected duration is until ____ / ____ / ____

7. **How** does your disability/health condition **prevent** you from using the city bus? **Please explain thoroughly.** *(Attach additional information if necessary.)*

8. When did you first experience the condition(s) described above?

0 - 1 year ago 1 - 5 years ago Longer than 5 years

9. Please check which best describes your current living situation:

- Skilled Nursing or Rehabilitation or Assisted Living Facility
- I receive assistance from someone that comes to my home to help with daily living activities
- I live with family or friends who help me
- I live independently (without the assistance of another person)

10. How do you currently travel to your frequent destinations? *(Check all that apply)*

- Drive Myself City Bus Taxi
 Someone Drives Me Other (*please explain*) _____

11. Have you ever used Kenosha Transit buses?

- Yes No Why not? (*Please explain*) _____
-

12. Are you **currently** able to use Kenosha Area Transit (city) buses for any of your transportation needs?

- Yes No I don't know (*explain*)
-

13. If provided with the appropriate training and practice, would you be able to use Kenosha Area Transit (city) bus service?

- Yes No Sometimes (*explain*) _____

SECTION TWO

NOTE: All Care-A-Van drivers, if requested, will assist riders on or off the bus and to the door of their destination.

1. When you travel, do you require the assistance of another person?

- Always Sometimes Never

2. What type of assistance do you need? (*Check all that apply*)

- Getting from the bus to my destination Communication Medication/Equipment assistance
 Transferring out of my mobility device Other _____

(If you require an attendant for your trips, that person, referred to as a Personal Care Attendant, is able to ride paratransit with you at no extra charge. A Personal Care Attendant is provided by the rider and is **not** a companion)

3. Which, if any, of the following mobility aids do you use? (*Check all that apply.*)

- Manual Wheelchair Electric Wheelchair Electric Scooter Walker
 Guide Animal White Cane Cane Crutches

4. If you use an **oversize** wheelchair or electric scooter, please provide the following information:

Make/Model _____ Size of device: Length _____ Width _____

Does the total weight of your wheelchair or scooter and yourself exceed 600 pounds?

Yes No

The Americans with Disabilities Act (ADA) of 1990 only requires public transportation programs to serve those individuals in a "common wheelchair?" The ADA defines a "common wheelchair" as a mobility device that is **no more than 30 inches wide, 48 inches long or weighs more than 600 pounds when occupied.**

If your mobility device exceeds these dimensions, the ADA does NOT guarantee your paratransit service.

5. Please answer all the following questions about your mobility, including while using a mobility device:

Can you travel from your residence to the curb or roadside without assistance?

Yes No Sometimes _____

Can you travel one block without the assistance of another person?

Yes No Sometimes _____

Can you travel ¼ mile (2-4 city blocks) without the assistance of another person?

Yes No Sometimes _____

Can you travel ¾ mile (6-8 city blocks) without the assistance of another person?

Yes No Sometimes _____

Can you wait outside without support from another person for 10 minutes?

Yes No Sometimes _____

Can you make your way to a bus stop?

Yes No (*Check all that apply to you*)

- I cannot find the stop because I get confused.
- I cannot travel to the bus stop without assistance from another person.
- I cannot cross the street.
- Heavy rain/snow makes it impossible for me to get there.
- Other _____

6. Please answer all the following questions about your abilities:

Are you able to give your address, destination and phone number upon request if needed?

Yes No Sometimes _____

Are you able to recognize a destination or landmark?

Yes No Sometimes _____

Are you able to allow you to ask for, understand and follow directions?

Yes No Sometimes _____

Do you use a communication aid?

Yes No If "Yes", please specify the device _____

List the names of two people who may be contacted in case of an emergency:

Name _____ Telephone # () - _____ (H)

Relationship _____ () - _____ (W)

Name _____ Telephone # () - _____ (H)

Relationship _____ () - _____ (W)

Do you need to have information and material given to you in any of the following ways? (*check all that you need*)

Large Print Audio Tape Other: _____

End of application. Please proceed to Certification Statement and Release of Medical Information Authorization.

Certification Statement and Release of Medical Information Authorization (Applicant)

I understand that the purpose of this evaluation form is to determine if there are times when I cannot use the bus service provided by Kenosha Area Transit and must therefore use paratransit service. I understand that the information about my disability contained in this application will be kept confidential and shared only with professionals involved in evaluating my eligibility. I certify that, to the best of my knowledge, the information in this evaluation form is true and correct. I understand that providing false or misleading information could result in my eligibility status being re-examined as well as other actions by Kenosha Area Transit.

I hereby authorize the below professional to provide the required information to Kenosha Area Transit. I certify that the information here and on the preceding pages is correct. I understand that falsification of information may result in denial of service.

Applicant's signature: _____ Date: _____

Physician Name: _____

Facility: _____ Address: _____

City: _____ State: _____ Zip: _____

Telephone Number: () - _____ Fax: () - _____

Please mail or fax this COMPLETED application form to:
Kenosha Area Transit
4303 39th Avenue
Kenosha, WI 53144
(262) 653-4290
(262) 653-4295 (FAX)

Please note that you will be contacted via telephone if you need to be evaluated in person. All applicants will receive a letter within 21 days of receipt of the **completed** application with a determination. If you are denied, information about the appeals process will be provided.

THIS ENDS THE PORTION OF THE FORM TO BE COMPLETED BY THE APPLICANT. THE LAST SECTION (ON THE FOLLOWING PAGE) MUST BE COMPLETED AND SIGNED BY A LICENSED PHYSICIAN.

MEDICAL VERIFICATION (to be completed by a licensed physician)

Care-A-Van paratransit service is door-to-door public transportation for people who are unable to ride a fixed route bus because of a disability. The applicant who has asked you to review and sign this form is applying to Kenosha Area Transit to be considered eligible for this service. Paratransit service is intended only for those trips that the person cannot make on the bus system. Please note that most Kenosha Area Transit buses are lift or ramp equipped.

This application form is intended to determine **when and under what circumstances the applicant can use Kenosha Area Transit buses and when they require paratransit service.**

Please carefully review the information provided by the applicant of this form, and answer the questions below.

(a) Please describe the physical and/or cognitive condition which functionally prevents the applicant from using standard Kenosha Area Transit bus service:

(b) To the best of your knowledge, is the information provided by the applicant true and correct?

Yes No *(Note exceptions or additions below)*

Print Physician Name and Title: _____

Physician Signature: _____ Date: ____ / ____ / ____

State of Wisconsin Medical License #: _____

Business Name: _____

Street Address: _____

City / State: _____ Zip Code: _____ - _____

Telephone Number: (____) ____ - _____ Fax Number: (____) ____ - _____

Attachment F
ADA Certification Policy

Memorandum To: Kenosha Transit Commission

From: Len Brandrup

Date: December 6, 2007

Subject: New ADA Certification Policy.

At the present time, Kenosha Area Transit does not have a requirement that individuals document their eligibility for Care-a-Van services funded by the City of Kenosha. During our Triennial Review conducted by the Federal Transit Administration (FTA), it was required that we implement an eligibility certification policy that documented an individual's eligibility. In the past, we had just accepted self determination of eligibility.

This draft policy document has been developed to outline a policy for implementation of this requirement. We will develop an application to supplement the policy with adequate specificity to determine whether a person meets the criteria for ADA services. We did not have it available for inclusion in the Commission packet but hope to have a sample available for the meeting. We will have samples of other forms also available at the meeting to show what is intended by this policy.

CITY OF KENOSHA KENOSHA AREA TRANSIT SYSTEM

Commission Approved: 12/13/2007

Policies and Procedures

SUBJECT:

ADA Paratransit Certification Eligibility Policy

PURPOSE:

To establish guidelines for certification of eligible riders for our American with Disabilities Act (ADA) required paratransit services. These guidelines and the certification process developed will meet the requirements of Department of Transportation Rule 49 CFR Parts 37.123, Paratransit Eligibility Standards.

BACKGROUND:

Kenosha Area Transit has provided ADA required paratransit services for many years. These services are provided by Care-a-Van, an operation of the Kenosha Achievement Center operating under contract to Kenosha County. Eligibility for these services in the past has been accomplished with a self certification declaration with no further review.

The Federal Transit Administration (FTA) reviews our operations every three years and in the last review, required that we establish a formal paratransit certification process that would establish criteria for eligibility for our ADA required services. This process is to be in place by the end of December 2007.

POLICY:

The following guidelines will be reviewed periodically to reflect the current policies of the Department of Transportation, the FTA and the City of Kenosha Transit Commission.

Eligibility will be established using the following procedures:

1. An Eligibility Committee (Committee) will be established to review applications for Care-a-Van services. The Committee will use any statutory ADA eligibility criteria established by the DOT and the FTA for determining eligibility. In

addition, the Committee shall use all available sources of information to assist in the determination of eligibility, including but not limited to physician's diagnosis, witness testimony, personal acquaintance, and any interview result. No one source (e.g. physician diagnosis) shall automatically guarantee certification. The Committee shall consist of at least three persons, one representing Kenosha Area Transit, one representing the service provider, and one representing the medical/social service professions. A guideline outlining the procedures to be followed by the Committee shall be prepared by Kenosha Area Transit and shall be made available to applicants desiring a copy.

2. Individuals whose applications are denied may appeal this decision to the Director of Transportation for the City of Kenosha. The decision by the Director will be made using all the criteria outlined in 1 above and the guidelines outlining the procedures to be followed, and shall be final. Appeals must be made within 30 days of denial by the Committee and an answer must be provided by the Director within 30 days of the appeal.
3. If transportation is needed prior to Eligibility Committee approval, non-registered patrons will be allowed to use the service in accordance with federal regulations implementing the ADA after 21 days has elapsed from the date of receipt of a completed, correct application by Kenosha Area Transit. In the event of special or unusual circumstances. (i.e. the need for immediate access to employment, medical care, or social services), the Director of Transportation may approve immediate, temporary eligibility for service on a case-by-case basis once a completed, correct application is received.
4. ADA paratransit services provided by Kenosha Area Transit or its subcontractors are not ambulance service and are not designed, equipped, or intended to provide emergency medical transportation. Persons requiring in-transit medical supervision, life support equipment other than a portable oxygen unit, or who must use a mobility device other than that meeting the definition of a "common wheelchair," walker, or cane, should seek transportation from an agency properly equipped to address these needs.
5. An eligibility determination shall not be made on a permanent basis and shall be periodically reviewed. At the least, all eligible individuals for ADA paratransit services shall have their eligibility reviewed every three years.
6. An application form shall be prepared by Kenosha Area Transit for use by individuals to seek ADA services.
7. Visitors to the Kenosha Area Transit service area will be provided service upon presentation of suitable documentation, such as an ADA Paratransit Eligibility card from another transit system or a statement from a Physician/Social Service agency, etc. documenting their disability, for the first 21 days of their visit to this area. After 21 days, a completed application for ADA Paratransit eligibility must be submitted. A visitor who anticipates their stay lasting longer than 21 days should submit an eligibility application immediately to ensure continuing service eligibility.