

MARTIN COUNTY PUBLIC TRANSIT
ADA TRANSPORTATION
SERVICE POLICIES AND PROCEDURES



Activity Log

Document Review Date	Reviewer	Action Taken
04/12/2024	Ashman Beecher	FDOT 2023 Triennial Review Update

Service Description

Martin County operates fixed route, deviated fixed route, commuter bus, and Americans with Disabilities Act (ADA) Complementary Paratransit service, Monday - Friday between 6:00 AM and 8:00 PM. Transit services are non-operational on the following holidays:

- New Year's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day

ADA Complementary Paratransit

Comparable paratransit service may be necessary for eligible persons whose origins and destinations are within corridors with a width of $\frac{3}{4}$ of a mile on each side of a fixed route bus service. The comparable paratransit service must provide a level of service equal to the fixed route bus service. Service shall be provided by an on-call bus service or a paratransit feeder service to an accessible fixed route where such service enables the individual to use the fixed route bus system for his/her trip.

In compliance with ADA law, Martin County Public Transit offers Marty Access. Marty Access is an eligibility based, door-to-door paratransit service for persons with physical, cognitive, visual, or other disabilities which functionally prevent them from using the fixed-route bus system permanently, temporarily or under certain conditions. Eligibility for ADA paratransit service is based solely on the applicant's functional ability to use Martin County Public Transit fixed-route buses. The Martin County fixed-route fleet is fully equipped with wheelchair accessible buses. Marty Access applicants must show proof of residence within Martin County or within Marty's fixed route service area. All applicants seeking eligibility for the ADA paratransit service must go through an eligibility determination process. The ADA paratransit eligibility application process includes, but is not limited to, a medical verification of the disability, a review of the applicant's own assessment of their ability to use Martin County Public Transit fixed-route buses and a functional assessment.

Applicants who are eligible will be required to file a completed ADA eligibility form every three (3) years (or earlier if eligible under a conditional status) as access to the ADA paratransit service does expire three (3) years from the date of receiving eligibility status.

Martin County will provide an advanced reservation service for ADA eligible riders. ADA Trip reservations will be taken during administrative hours of 8:00 AM - 5:00 PM, Monday - Friday and the subsequent five (5) service days. Cancellations are accepted via voicemail after 5:00 PM for the next operating day of service. A voice mailbox will be provided for detailed messages allowing cancellations during holidays, weekends, and after-hours.

Under Department of Transportation (DOT) Americans with Disabilities regulations at 49 C.F.R. Section 37.131(b)(2), a complementary paratransit entity may negotiate pickup times with an ADA paratransit eligible individual, up to one hour before or after the individual's desired departure time. Any deviation from this one-hour window would exceed the bounds of comparability. Martin County's ADA paratransit service will negotiate pick up times with riders to accommodate previously scheduled trips or to avoid capacity constraints. The paratransit service will pick up ADA eligible persons not more than 1 hour before or 1 hour after their desired departure time.

Martin County's ADA paratransit service shall not limit the availability of service to ADA eligible individuals based on any of the following:

- Restrictions on number of trips to an individual
- Waiting lists for access to the service
- Any operational pattern or practice that significantly limits the availability of ADA service to eligible individuals.
- Martin County's ADA paratransit service will not limit the number of trips an individual can reserve within the five (5) day scheduling window. Route 2 (Village of Indiantown) is a Deviated fixed route service; with deviations available upon request and when the origin and destination are within the Village of Indiantown service area

Pursuant to § 37.123 the following are ADA paratransit eligible:

- Any individual with a disability who is unable, as the result of a physical or mental impairment (including a vision impairment), and without the assistance of another individual (except the operator of a wheelchair lift or other boarding assistance device), to board, ride, or disembark from any vehicle on the system which is readily accessible to and usable by individuals with disabilities.
- Any individual with a disability who needs the assistance of a wheelchair lift or other boarding assistance device and is able, with such assistance, to board, ride and disembark from any vehicle which is readily accessible to and usable by individuals with disabilities if the individual wants to travel on a route on the system during the hours of operation of the system at a time, or within a reasonable period of such time, when such a vehicle is not being used to provide designated public transportation on the route.
 - An individual is eligible under this paragraph with respect to travel on an otherwise accessible route on which the boarding or disembarking location which the individual would use is one at which boarding or disembarking from the vehicle is precluded as provided in § 37.167(g) of this part.
- An individual using a common wheelchair is eligible under this paragraph if the individual's wheelchair cannot be accommodated on an existing vehicle (e.g., because the vehicle's lift does not meet the standards of part 38 of this title), even if that vehicle is accessible to other individuals with disabilities and their mobility wheelchairs.
- Any individual with a disability who has a specific impairment-related condition which prevents such individual from traveling to a boarding location or from a disembarking location on such system.

- Only a specific impairment-related condition which prevents the individual from traveling to a boarding location or from a disembarking location is a basis for eligibility. A condition which makes traveling to boarding location or from a disembarking location more difficult for a person with a specific impairment-related condition than for an individual who does not have the condition, but does not prevent the travel, is not a basis for eligibility.
- Architectural barriers not under the control of the public entity providing fixed route service and environmental barriers (e.g., distance, terrain, weather) do not, standing alone, form a basis for eligibility. The interaction of such barriers with an individual's specific impairment-related condition may form a basis for eligibility, if the effect is to prevent the individual from traveling to a boarding location or from a disembarking location.

ADA TRANSPORTATION SERVICE POLICIES AND PROCEDURES

Basic Requirements

The main tenet of ADA transportation regulation is that no entity shall discriminate against an individual with a disability in connection with the provision of transportation service.

Access to Information

All print material made available to the users of a transportation service will also be available in accessible formats for persons with disabilities. Martin County Public Transit utilizes large print, and alternate formats, allowing individuals with disabilities to obtain information and schedule transportation services. These materials are available upon request.

Access to Communications

Martin County Public Transit provides access to information for persons with speech and/or hearing impairments. Persons with speech and/or hearing impairments may call the Florida Relay Service by dialing 1-800-955-8771 (TTY) or contact the ADA coordinator by email tgrimm@martin.fl.us

Martin County Public Transit documents may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, M-F from 8:00 am to 5:00 pm, or by completing our accessibility feedback form at www.martin.fl.us/accessibility-feedback

Employee Training

ADA regulations require that each public or private entity which operates a fixed-route or demand responsive system shall ensure that personnel are trained to proficiency, as appropriate to their duties, so that they operate vehicles and equipment safely and properly and treat individuals with disabilities who use the service in a respectful and courteous way, with appropriate attention to the differences among individuals with disabilities.

Martin County Public Transit requires that all employees be trained according to ADA regulations and that this required training is incorporated in the overall training program of all transit employees. This training shall include passenger sensitivity and disability awareness training. Training emphasizes the importance of equipment such as lifts/ramps being in good working order. Personnel are also trained in agency ADA transportation-related policies and procedures.

Equipment Maintenance

Martin County requires that all vehicles are wheelchair accessible. It is the policy of Martin County Public Transit that all lifts, securement systems, and other access-related equipment must be maintained in safe, operating condition. If damaged or out of order, this equipment will be repaired promptly. When equipment is out of order, reasonable steps will be taken to accommodate riders who would otherwise use the equipment. Martin County Public Transit will provide an alternate lift-equipped vehicle whenever another lift-equipped vehicle is removed from service for any reason to ensure meeting equivalency of service requirements.

Lift and Securement Use

It is the policy of Martin County Public Transit that all people using wheelchairs and other powered mobility devices must be allowed to ride the entity's vehicles. A "wheelchair" is defined as a mobility aid belonging to any class of three-or more-wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered. A lift conforming to ADA requirements has a platform measuring and least 30" x 48". Transportation operators must carry a wheelchair and occupant if the lift and vehicle can physically accommodate them. If a lift has the minimum design load of 600 pounds, there is no requirement for an agency to transport a heavier occupied device. However, if the vehicle lift has a design load of 800 pounds, the agency would need to transport an 800-pound wheelchair/passenger combination, but not a combination exceeding 800 pounds. An operator may deny transportation if carrying the wheelchair and its occupant would be inconsistent with legitimate safety requirements, as when, for example, the wheelchair is so large it would block an aisle or would interfere with the safe evacuation of passengers in an emergency. Where necessary or upon request, Martin County Public Transit drivers must assist individuals with disabilities with the use of securement systems and ramps/lifts. If the driver must leave their seat to provide this assistance, they must do so.

Martin County Public Transit requires that all wheelchairs be secured during transport. Drivers are responsible for safely operating the lift and properly securing the wheelchair in a forward-facing position using the securement system in the vehicle. Martin County Public Transit will not deny transportation to an individual with disabilities because the person's mobility device cannot be secured satisfactorily by the vehicle's securement system (Exception: if accommodating an unsecured mobility device would violate a legitimate safety requirement, such as blocking an aisle).

Martin County Public Transit shall not require an individual with a disability to use designated priority seats if the individual does not choose to use these seats.

When transporting users of three-wheeled wheelchairs or other mobility devices that pose securement problems, Martin County Public Transit drivers can request that the user transfer to a vehicle seat. It is not a requirement that the rider make this transfer. Drivers can explain to riders the reasons for requesting a transfer but must allow them to make the final decision

on whether a transfer is appropriate given their particular disability. Martin County Public Transit Drivers will be provided training on the proper techniques for assisting passengers in transferring from their three-wheeled wheelchair to a vehicle seat.

Martin County Public Transit policies require that a person who cannot enter a vehicle using the stairs but who does not use a wheelchair must be allowed to enter the vehicle using the lift without inquiring about the passenger's disability.

Accommodating Mobility Aids and Life Support Systems

Martin County Public Transit policies permit ADA paratransit eligible riders to travel with service animals. Service animals are animals that are individually trained to perform tasks for people with disabilities, such as guiding people who are blind, alerting people who are deaf, pulling wheelchairs, alerting and protecting a person who is having a seizure, or performing other special tasks.

Martin County Public Transit drivers may ask if an animal is a service animal or ask what tasks the animal has been trained to perform but cannot require special ID cards for the animal or ask about the person's disability. A service animal may not be excluded unless the animal is out of control and the animal's owner does not take effective action to control the service animal, or if the animal poses a direct threat to the health and safety of others. Martin County Public Transit must also exclude a service animal if it is blocking aisles or exits and cannot be moved to a safe location in the vehicle.

In addition, Martin County Public Transit policies allow riders to travel with respirators and portable oxygen. Travel with this equipment can only be denied if it would violate rules concerning the transportation of hazardous materials. In general, the transport of common types of portable life support equipment is not prohibited. Cylinders of oxygen used by passengers for health reasons, for example, are not subject to the Hazardous Materials Regulations.

Personal Care Attendants (PCA) and Companions

Individuals accompanying an ADA paratransit eligible individual shall be provided service as follows:

- One other individual accompanying the ADA paratransit eligible individual shall be provided service.
- If the ADA paratransit eligible individual is traveling with a PCA, the entity shall provide service to one other individual in addition to the attendant who is accompanying the eligible individual.
- A family member or friend is regarded as a person accompanying the eligible individual, and not as a Personal Care Attendant, unless the family member or friend registered is acting in the capacity of a Personal Care Attendant.

- Additional individuals accompanying the ADA paratransit eligible individual shall be provided service, if space is available for them on the paratransit vehicle carrying the ADA paratransit eligible individual and that transportation of the additional individuals will not result in a denial of service to ADA paratransit eligible individuals.
- To be considered as “accompanying” the eligible individual the other individual(s) shall have the same origin and destination as the eligible individual.
- Personal Care Attendants must be permitted to accompany riders and are not considered companions. Martin County Public Transit requires that individuals indicate the need to travel with a PCA when they request paratransit eligibility certification.

Refusing Service

Martin County Public Transit cannot require that an individual travel with an attendant. If Martin County Public Transit observes that a rider would benefit from the aid of an attendant, this can be suggested. Service cannot be refused; however, if the person decides to continue to travel independently.

Service can only be refused if a rider engages in "violent, seriously disruptive, or illegal conduct." Seriously disruptive conduct does not include behavior or appearance that only offends, annoys, or inconveniences other riders or employees.

Boarding/Disembarking Time

Adequate time must be provided for persons with disabilities to board and disembark from vehicles.

ADA Paratransit Eligibility Determination

An individual seeking ADA paratransit eligibility must file an application consisting of a series of eligibility questions. The application consists of a medical verification to be signed by the individual’s licensed physician. Upon obtaining the completed application, Martin County’s Eligibility Assessment vendor will decide client eligibility in accordance with the data collected.

Determination of eligibility for ADA paratransit services will be made within twenty-one (21) days of receipt of completed application. If a determination has not been made within the twenty-one (21) days, an applicant shall be treated as eligible and provided service until determination is made. The applicant will be notified in writing of their status. Notification of eligibility will include an expiration date for eligibility and any conditions or limitations on the individual’s eligibility. If an applicant is determined ineligible, or temporary, the applicant will be provided with a reason for the findings and a copy of the Appeal process shall be included.

Martin County’s ADA application is available at <https://www.martin.fl.us/transit>

Martin County’s Appeal Policy is available at <https://www.martin.fl.us/transit>

Visitor Policy

Martin County shall treat a visitor as eligible for ADA Complementary Paratransit service who present documentation that they are ADA eligible from the jurisdiction in which they reside. This eligibility will be available for any combination of twenty-one (21) days within a 365-day period.

Notice of Opportunity for Public Comment

On December 4, 2011, Martin County advertised a Public Hearing Notice regarding the incorporation of a transit ADA plan to be held on January 10, 2012 in the Treasure Coast Newspaper. The Treasure Coast Newspaper is the most recognized distributor of printed and web-based news in Martin County. The published notice provided a County web address to view ADA plan documents made available from January 3, 2012 – January 10, 2012. On January 29, 2012, Martin County advertised a Public Meeting Notice regarding the incorporation of a transit ADA plan to be held on March 2, 2012, in the Treasure Coast Newspaper, WQCS radio reading service and e-mailed to several non-profit and social agencies within the Treasure Coast. The published notice provided a County web address to view ADA plan documents made available from January 29, 2012 – March 2, 2012. On March 29, 2012, Martin County provided (via e-mail) a Question-and-answer document pertaining to the Public Meeting held on March 2, 2012. The purpose of the Question-and-Answer sheet was to provide written documentation to those citizens that may not have received an answer to their question(s) during the meeting. All individuals in attendance who listed their e-mail address and/or phone number were given the opportunity to submit additional comments or concerns via US Postal Service to the County by April 13, 2012 (fifteen calendar days from the e-mail or phone call). At the January 10, 2012, Public Hearing the following significant issues/concerns were raised by the public; inadequate notification of the Public Hearing, ADA service area, changes to general paratransit trips and the development of the ADA plan contents. In response to the significant issues/concerns raised at the Public Hearing, the County advertised a notification of Public Meeting to be held on March 2, 2012. The meeting was attended by twenty-seven (27) citizens who either use the system or are representatives of organizations with clients that use the system. Questions and concerns raised at the meeting were responded to by County staff, Florida Department of Transportation (FDOT) staff and by the Transit Operator's staff. To ensure that participant's questions and comments in the Public Meeting had been addressed, the County drafted a Question-and-Answer sheet for their review. The County asked that any further concerns regarding the ADA plan contents be in writing and sent to the County for review and comment. No written questions/comments were received by the County on the subject.

Martin County Public Transit ADA Complaint/Appeal Form and Process

This grievance procedure is established to meet the requirements of the ADA. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by Martin County Public Transit.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number, email address of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted as soon as possible, preferably within 60 calendar days of the alleged violation to:

Tanyi Grimm
ADA Coordinator
Martin County Board of County Commissioners
2401 SE Monterey Road Stuart, FL 34996
Phone: 772-221-1320
Email: tgrimm@martin.fl.us

Within 15 calendar days after receipt of the complaint, Martin County Public will meet with the complainant to discuss the complaint and the possible resolutions.

Within 15 calendar days of the meeting, Martin County Public Transit will respond in writing, and where appropriate, in format that is accessible to the complainant. The response will explain the position of Martin County Public Transit and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant may appeal the decision within 15 calendar days after receipt of the response to the Public Works Director or designee.

James Gorton
Public Works Director
Martin County Public Transit
2401 SE Monterey Road Stuart, FL 34996
Phone: (772) 320-3155
Email: jgorton@martin.fl.us

Within 15 calendar days after receipt of the appeal, the Public Works Director or designee will meet with the complainant to discuss the complaint and possible resolutions.

Within 15 calendar days after the meeting, the Public Works Director or designee will respond in writing, and, where appropriate, in a format that is accessible to the complainant, with a final resolution of the complaint.

The ADA Coordinator for Martin County Public Transit is:

Tanyi Grimm
ADA Coordinator
Martin County Board of County Commissioners
2401 SE Monterey Road Stuart, FL 34996
Phone: 772-221-1320
Email: tgrimm@martin.fl.us

Definitions

Commuter Bus: Fixed route bus service, characterized by service predominantly in one direction during peak periods, limited stops, use of multi-ride tickets, and routes of extended length, usually between the central business district and outlying suburbs. Commuter bus service may also include other service, characterized by a limited route structure, limited stops, and a coordinated relationship to another mode of transportation.

Deviated Fixed Route: A system that permits user-initiated deviations from routes or schedules.

Disability: With respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.

Fixed Route Service: Operates along a prescribed route according to a fixed (regular) schedule.

Mobility Device: A device that is designed to assist an individual with disabilities with locomotion. Examples include wheelchairs, canes, crutches, and walkers. Also called mobility aid.

Personal Care Attendant (PCA): Someone who is hired to help with daily activities for a person with a disability. PCAs can ride with the person they are helping and are not required to register their use of the PCA with the transit entity.

Securement Device, Equipment or System: Equipment used for securing wheelchairs against uncontrolled movement during transport.

Service Animal: Any guide dog, signal dog, or other animal that has been individually trained to work or perform tasks for an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

Wheelchair: A mobility aid belonging to any class of three- or more- wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered.

ADA Complaint Form

What is the nature of the ADA complaint/appeal (include the time/date and location of the incident):

For agency use:

Action taken by Martin County Public Transit in response to the ADA complaint:
Has an appeal been submitted to Martin County Public Transit for a denial of service (if applicable)?

- Yes
- No

Result of appeal (include agency staff responsible for appeal process and date/time/location of meeting)

Has this appeal been resolved?

- Yes
- No

Please describe any further action or follow-up required:

ADA Coordinator Signature

Date

Martin County Public Transit

Reasonable Modification Policy

The Department of Transportation has revised its rules under the Americans with Disabilities Act (ADA) and section 504 of the Rehabilitation Act of 1973. It now specifically provides that transportation agencies are required to make reasonable modifications to policies, practices, and procedures to avoid discrimination and ensure that their programs are accessible to individuals with disabilities.

Martin County Transit is committed to providing safe, reliable, efficient, and accessible service to its customers. To ensure equality and fairness, Martin County Transit will make reasonable modifications to policies and procedures to ensure that individuals with disabilities have equal access to all of its services.

Exceptions would include modifications that:

- Cause a direct threat to the health and/or safety of others
- Result in a fundamental alteration of the nature of the service
- Are not necessary for the individual with a disability to fully utilize Martin County Transit services

Anyone who would like to request a modification of policies or procedures to participate in an agency program or service should contact:

Tanyi Grimm
ADA Coordinator
Martin County Administrative Center
2401 SE Monterey Road, Stuart, FL 34996
(772) 419-6968
tgrimm@martin.fl.us

Reasonable Modification Request Determination Form

For each reasonable modification request, consider each of the questions below. If the request does not provide enough specific information related to a question, consider what additional information is needed and how it would affect your answer to the question. Once each question has been considered, indicate what action you would take related to the request. If the decision would vary based on other factors/information, note the assumptions you made in making your decision.

Does the person making the request have a disability: Yes No

What change in policy is being requested:

Because of the person's disability, is the requested change needed to fully benefit from the transportation service:

Would granting the request create a direct threat to the health or safety of others:

Would granting the request fundamentally change the nature of the transportation service? Explain:

What determination has been made regarding the request:

- Grant the request
- Deny the request

If denied, please explaining the reason for denial:

If you decide to deny the request, are there any other actions you would propose to the person to address the issue noted:

Date and method that the requestor is notified of the decision and additional actions were proposed, if any:

Signature

Date