

STAR EASY GUIDE

Paratransit Passenger

Handbook

Effective November 2018



www.cdta.org | 518-482-2022 or 482-9024 (TTY/TDD)

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Welcome to STAR

Welcome to STAR

The Capital District Transportation Authority is committed to providing mobility services for everyone in the Capital Region. We are proud to offer a variety of solutions, in accordance with the Americans with Disabilities Act (ADA), for those who need assistance or special accommodations.

In addition to riding our fixed route service, CDTA offers STAR (Special Transit Available by Request), a paratransit service that provides door to door transportation, on an advance reservation basis, for people with disabilities who are not able to ride an accessible fixed-route bus. STAR is available in areas where regular fixed-route service is provided.

We have designed this handbook as a resource for our STAR riders. If you have questions about the service or anything you read here, please visit www.cdta.org or call (518) 482-2022 (option #3) or (518) 482-9024 (TDD-TTY) Monday through Saturday 9AM-7PM.

Staff Introduction

STAR has many people working in our administrative offices and upon request, you may speak with a representative, a supervisor, or a dispatcher, ADA Certification Manager, Superintendent and Director of Transportation.

When you call to reserve your STAR trip, you will normally speak with a representative, who will assist you in reserving trips and can answer any questions you may have. If the time you request not available, the representative may negotiate a trip time that meets with both your needs and our availability. Once the time is decided, it is entered as the confirmed (negotiated & reserved) pickup time.

STAR has a 25-minute window during which your ride may arrive in case of a delay.

Service Area and Times

STAR offers shared ride service, meaning we may pick up and drop off other customers during your ride.

STAR provides door-to-door service, which means you will have service and assistance from your front door to the front door at your destination.

STAR service operates within 3/4 of a mile of all CDTA fixed route services on the same days and times. For example, if CDTA operates Monday - Friday from 6AM - 7PM, STAR is available within 3/4 of a mile on either side of that route during those same days and hours.

Since STAR service is comparable to fixed route service, we are not able to accommodate trip requests with origins and/or destinations beyond our current route boundaries and/or beyond our service times.

STAR can take you as close to an outlying destination as our fixed route would go. If your trip extends beyond fixed route boundaries, you must arrange for transportation for that part of your ride at your own cost.

Know your STAR ID

Know your STAR ID number

It's important to know your STAR ID number. This number was provided on your STAR approval letter. If you don't know the number, you can always ask a representative. It is your password along with your 6 digit birth date for our IVR System.

Setting up STAR Reservations

Reservations are required for all STAR trips. Reservations can be taken up to **7 days in advance**. Next day trips must be made on the day prior to the trip no later than **4:00pm**. **First come, first serve**. When calling to make a reservation for the next day, you must always callback after 7:00pm to verify that your trip has been scheduled.

Reserving Trips

- You may reserve trips seven **(7) days a week** with either a representative or by leaving a message for a representative to call you back.
 - To make a reservation you may contact a representative **Monday through Saturday 9AM-7PM by calling (518) 482-2022**.
 - On **Sundays, from the hours of 9AM to 4PM**, please leave a message and a representative will call you back within 1 hour.
 - **When you call to make a reservation for the next day after 1:00pm you must always callback after 5:30pm to confirm your trip(s)**.
- You may also reserve a trip via the website – http://www.cdta.org/accessibility_paratransit_contact_form.php or email starreservations@cdta.org
- Our fax number is: (518) 437-8391

Attention: You may also make a reservation **24 hours a day, 7 days a week** by leaving a message, faxing or emailing your request.

- Any emails, faxes or messages received **after 4PM** will be confirmed the next day.
- All emails, faxes or messages received **before 4PM** the day prior of a requested trip will be returned within 1 hour, at which time you will receive confirmation.
- All emails, faxes or messages received on **Sundays between 9AM to 4PM** will be returned within 1 hour, at which time you will receive confirmation.

If your requested time is not available, we will work to provide a trip within one hour of the requested time. If the customer refuses that second drop off or pick-up time, it will be documented as a customer refusal.

Reserving Your Trip

Reserving Your STAR Trip

By appointment time – This is the best way to make a reservation when you must be at a location by a specified time, even if it isn't an appointment. (i.e. your aide arrives at 5:30PM and you must be there before them). It is also good for reserving work trips and medical appointments or even shopping trips, where you need a certain amount of time.

By time of departure – Making a reservation this way allows you to pick your leave time. Your arrival time may vary depending on how many people are picked up and dropped off in your shared ride. Make sure to tell the representative if you can't leave before a certain time (i.e. getting off of work at 4pm).

It is important that you let STAR know your appointment time. Please keep in mind that your drop off time should not be the same as your appointment time. If you need time to get from the door of a building to the location of your appointment, you should add sufficient time to get to the appointment/work on time.

Example: For a 9AM appointment, please ask STAR to drop you off 8:45AM so you can get to the appointment on time.

For your convenience, reservations can be made in one of three ways:

- 1) **By Telephone** – Call STAR at (518) 482-2022 and choose menu option 3 (TDD 518.482.9024) **Monday through Saturday from 9AM-7PM or Sunday 9AM to 4PM** (leaving a message for a call back).
- 2) **By Email** – Just email your trip request to starreservations@cdta.org Monday through Sunday – 24 hours per day.
- 3) **By Fax** – Just fax your trip request to (518) 437-8391 Monday through Sunday – 24 hours per day

Making a reservation (please provide the following information)

- Pick up location: We need an exact address (which door, color of house, special landmarks) **It is the client's responsibility to have the correct address at all times.**
- What is at this address? (Business, private residence, etc.) **You must know the address. Make sure you give an appointment time or the exact time you want your pick up and drop off time to be.**
- All contact numbers related to this trip: cell phone, home and/or office number (optional) **you must at all times have a valid phone number so we can reach you.**
- Destination: "Where are you going?" We need an exact address (which door, color of house, special landmarks)
- What is at this address? (Business, private residence, etc.)

- Identify mobility aid: “Do you use a mobility aid?” “What type of device is it?”
- Personal Care Attendant (PCA) or Companion: “Will a PCA or Companion be riding with you?” (See PCA section, page 8)
- Will your PCA or Companion be using a mobility device? What type of device?
- Companion riding: “(see Companion section page 9)
- Return trip: “Will you be returning?” If ‘yes’, be sure that the information required above also applies to the return trip.

Please make sure you provide accurate information about time constraints, such as when a class, appointment or your workday begins or ends.

The STAR representative will provide you vehicle pick-up times within an hour of the requested time. In event that STAR is fully-booked at the requested pick-up time, the representative will negotiate an alternate pick-up time within one hour before or one hour after the initially-requested pick-up time.

Note: If you can’t leave before a specific time, or if the building isn’t open until a specific time, please let us know.

Note: Trip reservations sent by fax or email will be officially confirmed, please refer to page 6 regarding times.

Please provide Reservationist with your correct phone numbers. We must have a way of contacting you.

- **A representative will call to confirm the reservation has been received and is scheduled.**
- **A representative will call you within the hour after receiving the request during regular Call Center hours.**
- **Any emails, faxes or messages received after 4PM will be confirmed the next day.**
- **All emails, faxes or messages received before 4PM on the day prior of a requested trip will be returned for confirmation within 1 hour.**
- **All emails, faxes, or messages received on Sundays between 9AM to 4PM will be returned within 1 hour, at which time you will receive confirmation.**

Arrival Window

STAR makes every effort to arrive at the reserved pick up time. Due to the nature of our shared service, arrival times may vary by as much as 25 minutes.

Personal Care Attendants

An aide or personal care assistant (PCA) is a person whose assistance is essential to the rider during the trip or at the destination.

Personal Care Attendants

The PCA must board and leave the vehicle at the same location as the rider.

Some of our customers require the assistance of a PCA. A PCA is someone who regularly assists the customer. When the customer travels, the PCA performs personal duties that drivers are not allowed to do. Some of these duties may include, but are not limited to:

- (1) Guiding a child or adult with an intellectual or developmental disability
- (2) Assisting a customer diagnosed with Alzheimer's or Dementia
- (3) Directing a customer who is unable to travel independently
- (4) Calming a customer who tends to become upset in unexpected situations
- (5) Preventing a customer from leaving her/his seat or opening a door when the vehicle is in motion
- (6) Assisting a customer with managing schedule and trip commitments in order to prevent excessive missed trips and potential suspensions of STAR service.
- (7) When a PCA travels with you, the driver is only required to assist onto the vehicle, secure the wheelchair/scooter; and secure the seatbelt/shoulder harness or seatbelt if they are sitting in a passenger seat
- (8) No child under the age of 12 can be considered a PCA.

We strongly suggest that customers who are authorized to travel with a PCA, and who need a PCA to perform some of the duties mentioned previously, always travel with a PCA on Paratransit trips. Please tell a reservationist when a PCA will be traveling with you.

Remember: STAR does not have staff to monitor or supervise its customers.

A STAR vehicle is just like the fixed-route bus, except that it transports its customers door-to-door. If you think it's unsafe to let your family member or the individual you assist travel alone on a fixed-route bus you should not let her/him travel alone on STAR.

An aide or personal care attendant traveling with a rider does not pay a fare. All eligible STAR customers are allowed a PCA, so please confirm if a PCA will be traveling with you when you make your reservation.

Door-to-Door

STAR Paratransit provides "door-to-door" service. The driver will come to your residential door, but will not enter into lobbies of apartments, professional buildings, retail establishments or commercial properties to let you know the bus has arrived.

Please be ready at your scheduled pick up time. There are some locations and/or situations where the driver cannot leave the vehicle. When picking-up or dropping off on private property, there are often designated areas where a driver is permitted to stop. In order for us to serve

you, it is necessary for you to wait for the vehicle at the marked stop. In many cases, you will be advised during your reservation of the appropriate location to wait for the vehicle.

Companions

STAR customers may bring other “companions” as described below:

- Additional individuals beyond the first companion are carried only on a space available basis. STAR cannot displace other ADA paratransit eligible individuals to accommodate additional companions.
- STAR will allow up to 3 individuals to ride with you on a trip when space is available.
- You may still bring a companion with you even if you bring a PCA or aide. ***Your PCA or aide will not have to pay but your companion will be charged.***
- Companions over 6 years of age are charged the same fare as the customer.
- Children under the age of (5) are required to be secured in a car safety seat provided by STAR.
- ***It is the responsibility of the parent, guardian or PCA to secure the child in the safety seat.***
- Under CDTA’s policy, 3 children under the age of 6 may ride with the customer at no charge. (See car seat guidelines)
- ***As part of each trip request, please advise the representative if you plan to bring a PCA, a child or a companion.***

Children Riding with an Eligible Rider

Children (5 years of age and under) ride free when accompanied by a fare paying adult. Each fare paying adult may bring up to three (3) children under the age of 5 with them at no additional cost.

- Additional individuals beyond the first companion are carried on a space available basis. STAR cannot displace other ADA paratransit eligible individuals.
- STAR will allow up to 3 children to ride with you on a trip when space is available
- Please provide the weight of child to ensure appropriate car seat or booster seat for children under the age of 5. Please include the child’s age, weight and height, so we can have the appropriate car seat in the vehicle.
- The policy will be enforced at the fare box or designated area using a measure of 46 inches (average height of a 5-year old child).
- Children over the age of six will be restrained in the vehicle seat using the on-board safety lap belt.
- An adult accompanying a child on a STAR vehicle is responsible for the child.
- Operators *can* assist with securing the child’s seatbelt and stroller but they will not secure a child restraint car seat and are not permitted to carry children or assist with strollers on or off the vehicle. Strollers must be properly folded and secured.

Arrival Window, Attendants & Companions

- It is the operator's responsibility to ensure that each child is properly secured.
- Please advise the representative that you will be bringing a stroller in the vehicle.

Transporting Children

- All children under five (5) years of age must be accompanied by an adult. They cannot ride unattended. When traveling with an eligible fare-paying adult, CDTA policy allows three (3) children under the age of five (5) to ride for free.

Paratransit Eligible Children Policy:

- Children under five (5) years of age will be considered for paratransit eligibility based on the ability of both the accompanying adult and child (as a team) to use fixed route service. When an eligible child is traveling with an adult (who is serving as a personal care attendant), a fare must be paid for the child and the adult attendant rides free.
- If your child is certified to use STAR and is 5 years of age or younger, an adult PCA must accompany the child.
- When reserving a trip please be sure to inform the representative that the child rider will be traveling with an adult PCA.
- It is the operator's responsibility to ensure that each child is properly secured.

Car Seat Policy

- STAR Paratransit does provide safety seats for children. Children 5 years of age or younger must be secured in a specially-designed FMVSS approved car safety seat when traveling on a STAR Paratransit vehicle or they will not be transported. It is the responsibility of the parent or PCA, not the driver, to secure the child in the safety seat.
- Please advise the representative at the time of reservation if the child traveling with you is under the age of 5. Please include the child's age, height and weight, so we can have the appropriate car seat in the vehicle.

Customer Requirement

- It is the responsibility of all STAR passengers that use a wheelchair to notify or provide illustrations to the STAR representative prior to transport. We need to know of any particular tie-down requirements for your wheelchair. Please call a STAR representative at (518) 482-2022 (option #1).

Seat Belts for Safety:

All STAR passengers including those using wheelchairs are required to wear a seatbelt. STAR passengers requiring assistance with the seat belt should ask the operator.

Subscription & Repeat Trips

Subscription trips are pre-arranged rides, reserved for the same time and day, traveling between the same origin and destination. ***Once the subscription trip has been arranged, passengers do not need to reserve rides associated with the subscription.*** Please call back to confirm.

- STAR provides subscription service for trips to work, training, education, specialized medical care or any other regular travel needs.
- Subscription trip times need to be verified and confirmed. Confirmations can be done 24 hours per day, seven (7) days a week using the Interactive Voice Response (IVR) system. You will need your STAR ID # and 6-digit birth date (**option # 2**).
- **Customers are responsible for canceling any subscription trips not needed.** For example, if you take a day off from work, you must remember to cancel that day's trip. ***If you do not cancel the trip that day, this will count as one or more No-Shows.*** Please see our No-Show policy.
- Subscription rides may be put on hold for a specific period of time. Please notify **STAR** if additional time is needed by calling (518) 482-2022 Monday - Saturday from 9AM-7PM.

Trip Confirmation

Reserved pick-up times will be confirmed at the time the reservation request is made over the phone. We will call back only in the following situations:

In the unlikely event a reserved trip request time has been changed outside the originally confirmed pick-up time-frame.

- ***To confirm a reservation request received via fax, email or message STAR before 4PM the day prior to request. A representative will call you back within one (1) hour of receiving your email, fax or message.***
- The type of vehicle you were originally assigned had changed.
- Confirmations can be done 24 hours per day, seven (7) days a week by using the IVR. You will need your STAR ID # and 6 digit birth date.
- If you use the IVR to cancel a trip, please remember to cancel both the pickup and drop off so that both will be canceled in our system.

Make sure to write down the cancellation number. This is your proof that you are not a No-Show. It's important to keep this information to maintain for your records.

Arrival Window, Attendants & Companions

Key Terms for Confirming Your Trip:

Your Requested Time – This is the time you requested when speaking with the representative. It is also the time you sent us via an email, fax or phone call.

Your Reserved Pickup Time – ***This is your confirmed reserved pickup time. This time is important. You must be ready and waiting for STAR at this time.***

Estimated Pickup Time of Arrival (ETA): This is the time STAR estimates the vehicle will arrive. **It's possible for the vehicle to arrive earlier or later so be sure you are waiting at your confirmed reserved pickup time and remain for the 25-minute window so that you are not listed as a No-Show.** You may feel free to call STAR if your ride is late.

Canceling or Changing Trips

STAR representatives will work with you to get you where you want to go. Please help us provide the best service by informing us, in advance, of trip changes or cancellations.

To change a trip, please call a representative at (518) 482-2022.

Advisory: STAR will NOT change/modify any reserved trips on the day of service.

To cancel a trip, please contact the STAR office at least 2 hours before the confirmed reserved pick-up time.

Cancellations more than 2 hours before pick-up

You may cancel a trip using the following options:

Via IVR

You may choose to use the IVR phone system to cancel your trips. When you call, you will be provided with a cancellation confirmation number. You will need your ID# and IVR password (your 6 digit date of birth). Call (518) 482-2022 (use option #2).

Via Email

You may choose to use the CDTA website (www.cdt.org) to cancel your trip. The representative will process the cancellation request, and contact you for confirmation. At that time, you will be provided with a confirmation number.

Via Fax

You may choose to use a fax machine to cancel your trip. The representative will process the cancellation request and contact you for confirmation. At that time, you will be provided with a confirmation number.

- ***Less than 2 hours before pick-up:*** You must speak with a representative directly to get a confirmation number. You may not use the automated phone system in this instance. A trip canceled within 2 hours of the confirmed reserved pick-up time is considered a **Late Cancel**.

Late cancellations can jeopardize STAR rider status and here's how:

- A Late Cancels, a Cancel at the Door, and a No Show equals are treated the same (refer to No Show Policy).
- Cancellations made at the door for an “on-time” pick-up will be considered a Cancel at Door.
- Cancellations made at the door on a “late” pick-up (see definition), will be considered a violation.

Online STAR Reservations

There are online options for customers who prefer to make or cancel STAR reservations and to receive information on STAR services. This new option helps to facilitate the use of STAR services for customers who prefer to communicate online.

With this new online program, STAR customers are able to access the CDTA website and conduct the following business:

- Make, Confirm or Change a Reservation
- Cancel a Reservation
- Apply for STAR
- Alert CDTA to a site closure frequented by STAR customers
- New STAR Orientation class registration
- For easy access, customers can visit www.cdta.org/star

For other STAR service inquires or to apply by telephone, customers can use the following:

(518) 482-2022 – STAR Intake (option #4)

(518) 437-6182 – STAR Dispatch Fax

(518) 437-8391 – STAR Eligibility Fax

On Time Performance

- Trips are within the ADA acceptable pickup window time frame if the vehicle arrives within 25 minutes of the reserved pick-up time.
- The trip is considered “significantly late” if the vehicle arrives more than 25-minutes after the reserved pick-up time.

Confirming Your Trip

Late Vehicle Calls

If the vehicle is “late”, as defined more than 25 minutes, you may call a representative to request an estimated time of arrival (ETA). Call (518) 482-2022 (option #1).

Dispatchers are available to respond to calls during regular operating hours:

- Weekdays from 4:00AM to 12:00 midnight
- Saturdays/Sundays from 5:00AM to 11:00PM.

Operator Wait Time

Operators must wait five (5) minutes after arriving, this includes arrivals after the reserved pickup time window of 25 minutes.

If the STAR vehicle arrives early, the 5-minute wait period will begin at the start of the reserved pickup time.

If the STAR vehicle arrives late (after the pickup time-frame of 25 minutes) the driver must still wait five (5) minutes past arrival time.

ADA Comparable Paratransit Service No-Show/Late Cancellation Policy Purpose

To encourage responsible trip scheduling and paratransit use, the Americans with Disabilities Act (ADA) provides that public transit systems establish and enforce a No-Show policy. STAR’s ADA Paratransit Passenger No-Show policy is part of an effort to bring our customers more efficient paratransit service and to be current with Federal Transit Administration findings and best practices.

Sporadic customer No-Shows, late cancellations, and cancellations at the door are an expected cost of doing business for a paratransit system. However, a pattern and practice of “No-Shows”, late cancellations and cancellations at the door adversely affect the efficiency and effectiveness of service and significantly add to the cost of providing ADA complementary paratransit service. No-Shows and late cancellations result in wasted trips that could have been scheduled for use by other paratransit customers.

No-Shows are recorded each time a paratransit customer makes a late cancellation, forgets to cancel, declines their trip at the door, or is not available for pick-up for their scheduled trip. ***Excessive No-Shows may result in suspensions of service as provided below.***

ADA No-Show/Late Cancellation Policy

Definitions

No-Show / Late Cancellation / Cancel at the Door

No-Show - a No-Show is when all of the following criteria are met:

- There has been no call by the customer (or the customer's representative) to cancel the scheduled trip 2 hours or more before the pick-up window.
- The vehicle arrives at the scheduled pick-up location within the 25-minute pick-up window.
- The driver cannot reasonably see the customer approaching the vehicle within 5 minutes.
- The dispatch office is notified. At this time, dispatch will verify that the operator is at the correct location.

Late cancellations and cancellations at the door, as defined below, will also be treated as No-Shows.

Trip Default Policy

No-Shows and cancels are disruptive to everyone who uses the STAR system. You must be ready to go during the 25-minute confirmed scheduled pick up time frame.

Definition of Cancellations

- No-show: this is when a STAR customer, without good reason, is not at their pickup location at the reserved pickup time and within twenty-five-minutes thereafter.
- Cancel at the door: this is a cancellation that is less than an hour before your scheduled pick up time.
- Cancel late: this is a cancellation that is less than two hours from the trip pickup time.

Cancellations = No-Show = Late Cancellation = Cancel at the Door

- If the customer cancels his or her trip more than two (2) hours in advance, the cancel will not be charged against the customer.
- If the vehicle arrives within the confirmed scheduled pick-up time frame (your pickup time, plus 25 minutes), it will wait the required 5 minutes and if the customer does not appear, the customer will be considered a No-Show.
- If the vehicle arrives late (after the 25-minute time-frame) it will wait 5 minutes, and if the customer does not appear, or cancels at the door or by phone, the customer will NOT be charged with a No-Show.

In the event of a No-Show at the customer's home, CDTA is not obligated to dispatch another vehicle to serve that trip. If the customer calls STAR to inform the representative that they are "stranded" away from home because of the No-Show, CDTA will dispatch a vehicle to bring that customer home, with the understanding

Canceling or Changing Trip

that it will be on a first availability basis to pick-up that customer.

If a No-Show occurs as part of the first part of a round-trip, or the first part of a multi-destination trip, the remaining trips of the customer's itinerary must be confirmed. **It is the customer's responsibility to inform STAR if they will be taking the remaining trip(s). If the customer will not be taking these remaining trip(s), additional No-Shows will be charged to the customer unless they cancel the trips.**

- If a customer decides to take only part of a scheduled trip that has multiple destinations, he or she must cancel all other parts of the trip or each trip not canceled will be considered a No-Show.
- When the ride is canceled due to the inclement weather, you will not be charged for that cancellation.
- Less than 2 hours before pick-up: You must speak with a Representative directly. You may NOT use the automated phone system in this instance.

Please be aware of the following guidelines

- When the ride is canceled due to the inclement weather, you will not be charged for that cancellation.
- When there is a good cause for canceling a STAR trip, the trip will not be counted against you. Make sure to let the representative know the reason for the late cancellation or no-show as soon as possible.
- Customers can not be held responsible for No-shows beyond their control.
- If a customer has canceled 10% of his or her rides within thirty (30) days without cause, a written notice will be sent.

The notice will indicate

- That if within the next two (2) months, if a customer has canceled 10% of rides within thirty (30) consecutive days, the customer's STAR service may be suspended for a period of one week.
- This suspension and notice may be appealed. Customers can not be held responsible for No-shows beyond their control.
- Written appeals are to be submitted within sixty (60) days of the written decision. If requested, an in-person hearing will be reserved. Anyone can assist a customer in the appeal process, at the end of the guide please see a list of organizations that may be able to assist you.

Advisory

- Prior to suspension, the customer will receive written notice that STAR service will be suspended beginning on a specified date.
- The customer will also receive a copy of the appeals process. STAR will continue to provide Paratransit service until the appeal has been decided.

Appeal Process

An individual who wishes to appeal a decision can do so by law either in person, via written or verbal appeal. The customer has sixty (60) days to notify CDTA in writing for a date/time to have an in-person appeal, make a verbal appeal by phone, or to send in a written appeal. The customer may bring anyone they wish to assist them with the appeal; it does not have to be an attorney.

Please send all written appeals, or request for an in-person or verbal appeal to the CDTA Appeal Officer. Customers can call (518) 437-8300 or send the written appeal to: Appeal Officer, Capital District Transportation Authority, 110 Watervliet Avenue, Albany, New York 12206.

Appeal Process - Notice of Decision

Within thirty (30) days of the appeal, CDTA's decision shall be issued to the individual in the appropriate accessible format including reasons for the decision.

Note: Throughout the appeal process, any individual may represent an individual of his/her choice. The representative does not have to be a lawyer and may include any human services personnel, or any one the customer wishes.

The individual may request a hearing where they can be heard and present information along with arguments. The written appeal must contain all the details necessary to evaluate the person requesting the appeal and may include professional documentation. CDTA must give the individual any details and information needed about the situation(s) to use at the appeal. The CDTA Appeal Officer will review and hear all appeals concerning denial of STAR service, limited eligibility or suspension of STAR use.

If not satisfied with the appeal determination, a grievance procedure can be found at:

<http://www.fta.dot.gov/128743889.html>

Advance Cancellation – (No Penalty) when the customer (or the customer's representative) calls and cancels a specific scheduled trip at least 2 hours prior to the pick-up window. Early morning trips scheduled for pick-up before 8:00 AM are to leave a cancellation message with the answering service or use the automated system to cancel the trip before 6:00 AM.

Late Cancellation - the customer (or the customer's representative) does not call to cancel a specific scheduled trip at least 2 hours prior to the pick-up window (**other than early morning**)

Cancellation at Door – If the trip was canceled less than an hour before scheduled trip and also when the vehicle arrives at the location designated for a specific scheduled trip and the customer (or the customer's representative) notifies the driver at that time that they no longer need the scheduled trip. These are considered No-Shows.

Notes on Cancellation:

- The driver is not responsible for canceling any other trips booked for that day.

Canceling or Changing Trip

- The customer (or the customer's representative) must call STAR to cancel all other trips.
- STAR schedules pick-up and return trips separately, and assumes that all scheduled return trips are needed unless notice is given by the customer or their representative. **If a pick-up trip is a No-Show, STAR will not automatically cancel the return trip. A No-Show on the return trip will count as a second No-Show for the day.**

No-Shows beyond Passenger's Control

Trips canceled for reasons that are beyond the customer's control will not be considered No-Shows. This includes missed trips resulting due to sudden illness, family or personal emergency, transit connection delay, appointment delay, extreme weather conditions, operator error, paratransit lateness, or other unforeseen reasons for which it is not possible to call the STAR Program to cancel in time or to take the trip as scheduled.

Although No-Shows will not be issued for reasons beyond the customer's control, the customer should always make every effort to cancel scheduled trips in a timely manner. **It is the customer's responsibility to provide the reasoning for not canceling a trip.** Contact should be made with STAR as soon as reasonably possible so that No-Shows occurring beyond a customer's control can be excused. Lack of any contact will result in a No-Show record remaining intact and may lead to warnings/service suspensions detailed below.

No –Show Notifications

Customers will be notified of No Shows Policy Violation in writing, and will receive a warning after three (3) of your trips are No Shows. Customers will receive a No Show Policy Violation notice postcard in the mail. Customers may also be contacted by email, phone or interactive voice response (IVR). Communications will list the total number of No Shows and the percent of No Shows in reference to the total number of trips booked in the period. Specific dates, times and locations of each No Show in the period will be provided in writing upon customer request.

The following may constitute a Violation of the No Show Policy and is subject to penalty up to and including suspension of services

Any combination of three no shows, cancels at the Door and/or late cancellations within a month could result in a suspension.

Eight no shows in 12 months could result in a suspension.

Three no shows in 90 days (or in a calendar quarter) could result in a suspension.

Eight no shows in a calendar year could result in a suspension.

10% of your rides are no shows, cancels at the Door and/or late cancellations could result in a suspension.

Pattern and Practice of No-Shows

Customers may be suspended from paratransit service when they show a "pattern and practice" of No-Shows, which occurs when:

- a. A customer has three or more No-Shows in a rolling 30-day period; **AND**
- b. When the number of No-Shows and/or Late Cancellations and/or Cancel at the Door represents more than (3) three or more of the trips booked by the customer in a rolling 30-day period a violation will be assessed.

The following are examples of what would and would not constitute a pattern and practice of No-Shows:

Example 1: A customer books 20 trips in a 30-day period and misses (3) three of the trips. This customer has a pattern and practice of No-Shows, Late cancellations and/or Cancel at the Door because a customer who shows a pattern and practice of No-Shows, Late cancellations and/or Cancel at the Door may be subject to a suspension of service, as shown in the table below. **Violation history covers a 12-month rolling period.**

Consequences for Pattern and Practice of No-Shows

1st Violation	Letter of warning and/or phone contact
2nd Violation	2 Day Suspension
3rd Violation	5 Day Suspension
4th Violation	10 Day Suspension and Loss of Subscription Service. Alternate fine ADA average trip cost Multiplied by number of days suspended.
5th + Violation	30 Day Suspension and Loss of Subscription Service

Violation history covers a 12-month rolling period.

If a customer has a pattern and practice of No-Shows as provided above, they will receive a suspension letter or email, proposing to suspend service within two weeks and outlining the appeals process. Suspension of service privileges will be postponed pending completion of the appeals process.

Loss of subscription service takes effect with four violations in a floating 12-month period, and will not be removed until the customer has three consecutive months without any No-Shows average ADA trip cost multiplied by the number of days to be suspended

No-Show Policy

No-Shows are disruptive to everyone who uses the STAR shared ride system. You must be ready to go during the 25-minute reserved pick up time frame.

- If the vehicle arrives within the reserved pick-up time frame (your pickup time plus 25 minutes) it will wait the required 5 minutes and if the customer does not appear, the customer will be considered a No-Show.

Canceling or Changing Trip

- If the vehicle arrives very late (after the 25-minute time-frame) it will wait 5 minutes, and if the customer does not appear, or cancels at the door or by phone, the customer will NOT be charged with a No-Show.

In the event of a No-Show at the customer's home, CDTA is not obligated to dispatch another vehicle to serve that trip. If the customer calls STAR to inform the representative that they are "stranded" away from home as a result of the No-Show, CDTA will dispatch a vehicle to bring that customer home with the understanding that it will be as availability permits.

If a No-Show occurs as part of the first part of a round-trip, or the first part of a multi-destination trip, the remaining trips of the customer's itinerary will not be automatically canceled. ***It is the customer's responsibility to inform STAR if they will be taking the remaining trips. If the customer will not be taking these remaining trip(s), additional No-Shows will be charged to the customer unless they cancel.***

- If a customer decides to take only part of a reserved trip, which has multiple destinations, he/she must cancel all other parts of the trip or each trip that is not canceled will be considered a No-Show.
- When the ride is canceled due to the inclement weather, you will not be charged for a cancellation.
- Less than 2 hours before pick up: You must speak with a representative directly to get a cancellation confirmation number. You may not use the automated phone system in this instance. A trip canceled within 2 hours of the confirmed scheduled pick-up time is considered a Late Cancel.
- Late cancellations can jeopardize STAR rider status:

Please be aware of the following guidelines

- When the ride is canceled due to inclement weather, you will NOT be charged for that cancellation.
- When there is good cause for not canceling a STAR trip, the trip will not be counted against you. Make sure to let the representative know the reason for the late cancellation or No-Show as soon as possible.
- Customers cannot be held responsible for No-Shows beyond their control.
- If a customer has been a No-Show, Late Cancellation and/or Cancel at the Door for three (3) or more rides within (30) thirty days without cause, a written notice will be sent.

Advisory

- Prior to suspension, the customer will receive written notice that STAR service will be suspended beginning on a specified date.
- The customer will also receive a copy of the appeals process. STAR will continue to provide paratransit service until the appeal has been decided.

Appeal Process

A customer (or a customer's representative) who wishes to appeal a decision can do so by law either in person, via written or verbal appeal. The customer has sixty days (60) to notify CDTA in writing for a date/time to have an in-person appeal, make a verbal appeal by phone or send in a written appeal. The customer may also bring anyone they wish to assist them with the appeal: it does not have to be an attorney. The customer should provide STAR with any information on which the customer wishes to rely to support his/her appeal.

Designated STAR staff will review the information provided by the customer (or the customer's representative) and decide to either uphold the individual No-Show or to excuse it. This decision will be made within ten (10) business days.

If No-Shows have accumulated to a point where a suspension will be imposed, the customer (or the customer's representative) may file a verbal or written appeal for a review of all No-Shows by contacting STAR. Service will continue while the outcome of the appeal is decided.

If in any case, the customer is not satisfied with the review by the STAR Program, they may request a formal review by the Director of Transportation. A hearing will be scheduled on the matter during which the customer will be permitted to present any materials or testimony relevant to the appeal. A decision on the appeal will be made within ten (10) business days.

Please send all written appeals, or requests for an in-person or verbal appeal to the CDTA Appeal Officer. Customers can call (518) 437-8372 or send the written appeal to: Appeal Officer, Capital District Transportation Authority, 110 Watervliet Avenue, Albany, New York 12206.

Note: Throughout the appeal process, any individual may represent an individual of his/her choice. The representative does not have to be a lawyer and may include any human services personnel, or anyone the customer wishes. The individual may request a hearing where they can be heard and to present information along with arguments. The written appeal must contain all details necessary to evaluate the person requesting the appeal and may include professional documentation. CDTA must give the individual any details and information needed about the situation(s) to use at the appeal. The CDTA Appeal Officer will review and hear all appeals concerning denial of STAR service, limited eligibility or suspension of STAR use.

If not satisfied with the appeal determination, a grievance procedure is available at: www.fta.dot.gov/12874_3889.html

Fares

The fare for each one-way STAR trip is currently \$2.50. PCA's ride free of charge, while companions are charged the same fare as a STAR customer. Fares must be paid at the time of boarding for each trip. If a contracted service provider is picking you up, please pay the normal STAR fare to the driver.

Fares may be paid in one of four ways:

CASH with exact amount (Operators carry no change)

- Dollar bills
- Coins
- STAR Tickets
- Debit

STAR Tickets Order online at www.cdt.org under Fares

- CDTA Sales Office located at 85 Watervliet Avenue, Albany, NY 12207 (518) 437-5227
- CDTA Sales at the Saratoga Springs Train Station 21 Station Lane, Saratoga Springs NY 12866 (518) 437-6877
- Price Chopper Supermarkets – Customers using an Advantage card may be eligible to get fare discounts. Please visit the customer service desk or call the store closest to you for more information.

STAR Debit

STAR Debit is a prepaid fare. STAR customers who participate in the STAR Debit system must deposit \$50.00 to activate an account. This can be paid by check or money order. Debit customers will receive a monthly statement. A minimum balance (after the original account set up) of \$25.00 is required at all times. Please call (518) 437-8379 or information.

Wheelchair Securement

- All wheelchairs must be transported in a forward facing position.
- All wheelchairs will be secured at 4 (four) points.
- A seatbelt is required for all wheelchairs users

Portable Oxygen Use:

- The ADA requires transportation service provided to a rider who needs to bring an oxygen tank. For safety reasons, it is required that the rider is able to maintain control of their oxygen tank at all times.
- Oxygen tanks may be taken on a STAR vehicle, however they cannot reduce seating capacity nor can they create a safety hazard.
- Passengers may travel with respirators, portable oxygen, and other life-support equipment, provided they do not violate laws or rules related to transportation of hazardous materials.

Portable Oxygen

- Passengers traveling with respirators, portable oxygen and other life-support equipment must follow safety procedures to ensure the protection of all passengers and transit employees.
- The portable oxygen tank may not exceed 15 lbs. in total weight; 29 inches in height; and 4.38 inches in diameter
- If the rider cannot pull an oxygen tank cart or carry/maintain control of the tank by themselves, then the rider shall provide a PCA to perform those functions.
- A portable oxygen tank will only be transported by CDTA when it is medically necessary. Defective, leaking or otherwise unsafe tanks will not be allowed on the vehicle. CDTA has the right to refuse to transport such equipment.
- Portable oxygen tanks must be turned off when not in use; the oxygen mask/nasal cannula must be secured to the user's face when in operation.
- The passenger may board the vehicle with as many portable oxygen tanks as they or their PCA can carry themselves, provided all tanks carried by the passenger are under the passenger's/PCA's control.

Open Sores and Wounds

- For the safety of all passengers and CDTA employees, we cannot transport passengers with open wounds or sores. An open sore or wound may include, but is not limited to: a medically related opening which creates leaking or discharge of bodily fluid; an injury that causes an external break in body tissue. Wounds include abrasions, incisions, lacerations, punctures and avulsions.
- Wounds must be properly dressed and leakage/discharge must be controlled to prevent transmission of biohazards to transit personnel and other customers while also preventing infection of the wound. If the wound is not properly dressed, customers may be refused entry. In some cases, passengers may be required to exit the vehicle to address biohazard concerns.
- CDTA personnel are not allowed to assist passengers in dressing wounds and controlling bodily fluid leakage/discharge.

Code of Conduct

CDTA reserves the right to refuse service to any passenger who is a direct threat or a significant risk to the health or safety of others. If you would like more information regarding CDTA Code of Conduct, please call (518) 437-8385.

Orientation

To familiarize riders with STAR service, CDTA offers an orientation. The orientation may be done in person or over the telephone.

STAR Card

STAR orientation can include issues specific to the customers' needs. The invitation is also extended to personal care attendants and mobility instructors. Various topics may include: obtaining STAR photo IDs, how to get from drop-off point to desired location (i.e. ESP turn around and Corning Tower offices, making reservations, and using the IVR).

For more information or to sign up for the orientation, please call (518) 482-2022 (press option #4).

Severe Weather Procedures

STAR will follow site closures as advertised and has the right to cancel trips to facilities that are closed. A representative or the IVR call back feature will notify any customer affected by the site closings.

Please check your place of business for snow cancellations and inform STAR immediately of cancellation.

In case of an accumulation of snow or itce, CDTA will follow these procedures:

- If weather conditions and/or snow/ice accumulations do not allow for the STAR vehicle lift to be safely deployed, the operator will not pickup. In this event, the operator is instructed to notify representatives, who in turn, will notify the passenger that the trip cannot be provided. A supervisor will determine if STAR can accommodate the trip requested from another nearby location.
- Please make sure that STAR has all appropriate phone numbers related to your trips. (Optional)
- If the lift can be safely deployed, but the sidewalk or driveway to /from the STAR vehicle does not allow for safe passage, the driver will notify dispatch. The Transportation Dispatcher will then attempt to notify the passenger of the condition and postpone pick up until conditions improve. We will only pick up the passenger when the sidewalk or driveway is sufficiently clear of snow or ice.
- If the pathway at your residence is impassable, you must notify STAR to cancel the reserved pick-up.
- When the ride is canceled due to the inclement weather, you will not be charged.
- If a residence is blocked, STAR will make every effort to get you home.

STAR Card

All ADA paratransit certified individuals may obtain a STAR User Card. It is recommended and free of charge, but **not** required. If you plan to travel outside CDTA's service area, a STAR User Card allows you to reserve paratransit trips with transit agencies throughout the United States.

A STAR User ID Card allows customers to ride CDTA's accessible fixed route at a reduced fare all day long, 7 days a week. Please call (518) 482-8822 for more information.

The reduced fare is half the regular CDTA fare. Reduced Fare Day Passes may be purchased on the vehicle for a person making more than 3 trips on any particular day. Please show the operator your active Reduced Fare ID Card and advise the operator that you need a Reduced Fare Day Pass BEFORE inserting the correct amount into the fare box. The fare (\$2.00) is half fare of the fixed route day card (\$4.00).

STAR Card

Half Fare Navigator ID Card:

All ADA paratransit certified individuals may obtain a Half Fare *Navigator* ID Card. It is recommended and free of charge, but not required. If you plan to travel outside CDTA's service area, a verified Half Fare *Navigator* card will allow you to reserve paratransit trips with transit agencies throughout the United States.

A Half Fare *Navigator* ID Card allows customers to ride CDTA's accessible fixed route at half fare all day long, seven days a week. Please call (518) 482-8822 for more information.

STAR customers can pay half the regular CDTA fare once they have received their Half Fare *Navigator* ID card. Once you register the card and create your account, new passes can be purchased online or at any *Navigator* retail outlet in the Capital Region. Please show your active Half Fare *Navigator* ID Card and advise the operator whether you have Pay As You Go value or a Frequent Rider monthly pass. Here is a link to how the Half Fare program works:

https://www.cdt.org/sites/default/files/pdfs/cdt_reducefare.pdf

Visitors

If you are a STAR eligible customer and wish to visit other areas and need documentation concerning your paratransit eligibility, please call the STAR Intake Office. This can be done Monday - Friday between 9AM-4PM. You will need the following information:

- Name and telephone number of the transit property where you will be traveling
- Name of person who needs the information
- Fax number and name of person to fax information to
- A confirmation letter will be sent to your home address

Comments, Concerns and Complaints

We want to hear from you. Call (518) 482-2022 and press 8 with any comments, concerns or complaints relating to your trips. Flexible Services personnel will respond within 10 working days because hearing from you helps us improve our service.

STAR Riding Guidelines

- STAR provides shared-ride, door to door transportation. Operators will go to the ground level exterior door of the building. Operators will identify themselves to all passengers and announce the name(s) of the passenger(s) being picked up.
- The STAR operator will help customers on and off the vehicle and offer reasonable assistance to/from the entrance. Operators cannot escort customers in and out of

Comments

buildings. They can, however, hold the door open if needed.

- Passengers **MUST** be able to carry and properly secure their own packages. If packages cannot be secured in your lap or down by your feet, the operator will immediately contact STAR Dispatch for further instructions.
- Customers who require additional assistance should arrange for a PCA or companion to assist with packages or luggage.
- Shopping carts are allowed, but must be secured in the appropriate area. **They cannot create a safety hazard or reduce capacity on a vehicle.** Please advise the representative at the time of reservation that you are bringing a cart.
- To avoid delays which may jeopardize timeliness of the entire STAR operation, we ask that customers be at their pick-up locations and ready to board at the reserved pickup time. Operators will wait five minutes for customers after the reserved pickup time or their arrival time (if they arrive after the reserved pickup time the operator will wait 5 minutes) before departing.
- All customers must remain seated while the STAR vehicle is moving.
- Animals are prohibited except for SERVICE ANIMALS and small pets in containers/pet carriers that customers can manage.
- Travel Training is available for customers who need assistance using the CDTA system. Training is provided at no cost, and is tailored to the individual customer's particular needs. With Travel Training instruction, some disabled customers may be able to use fixed-route accessible buses. While the customer will no longer be eligible for STAR services for that particular route in normal weather conditions, the freedom gained being able to go out when desired is often worth it. Please call the Disability Certification Manager for more information about Travel Training at (518) 437-8378.
- Playing loud music without headphones is prohibited.
- The operator cannot make change, accept reservations, or modify pick-up times.

Contracted Services & Dedicated Vehicles:

CapitaLand taxi uses white vehicles identified by the STAR logo prominently displayed.

These STAR Taxis follow the same rules as STAR buses. The vehicle arrives at the scheduled pick up location within the 25-minute window. They must be there on time, wait 5 minutes and bring you to and from your main door. All vehicles are installed with live GPS and will be monitored in real time by A Plus MediTrans and CapitaLand Taxi Dispatchers as well as STAR Dispatchers.

Showing Appreciation, Customer Comments and Commendations

STAR personnel are not allowed to accept tips, but they appreciate your praise. If you would like to commend personnel for the service provided, call our Customer Service Center at (518) 482-8822.



STAR Town Hall Meeting

STAR holds an annual town hall meeting. We invite you to come and meet CDTA management and STAR staff. You can ask questions and address any issues. It's a great time to get together to provide input to STAR on how we are doing. Transportation to and from this meeting is free of charge.

Recertifying for STAR

Every five (5) years customers must re-certify for STAR. You will receive a re-certification packet in the mail about a month or two before the expiration of your STAR certification. You may also print the online STAR form anytime from our website at www.cdtat.org under Accessibility

ADA complaints or STAR appeal assistance list

The following is a listing of places that you may be able to obtain free assistance with an appeal or STAR issue or complaint:

Capital District Coalition for Accessible Transportation

15-17 3rd St.
Troy, New York 12180
Phone: (518) 273-1110
Web: www.cdcat.org
Email: advocate@mobilityfreedom.org

Catholic Charities Disabilities Services

1 Park Place, Suite 200
Albany, New York 12205
Phone: (518) 783-1111

Web: www.ccdservices.org

Self-Advocacy Association of NYS

500 Balltown Road Bldg. 5
Schenectady, New York 12304
Phone: (518) 382-1454

Web: www.sanys.org

Epilepsy Foundation Northeastern New York

3 Washington Square
Albany, New York 12205
Phone: (518) 456-7501

Web: www.epilepsyfoundation.org/local/efneny/index.cfm

Independent Living Center of the Hudson Valley (ILCHV)

15-17 3rd St.
Troy, New York 12180
Phone: (518) 274-0701

Web: www.ilchv.org

Center for Independence (CDCI)

875 Central Avenue, South 4
Albany, New York 12206
Phone: (518) 459-6422

Web: www.cdciweb.com

Belvedere Brain Injury Program

1 Van Tromp Street
Albany, New York 12207

Phone: (518) 694-9400

Web: www.belvedere-online.com

Epilepsy Foundation Northeastern New York

3 Washington Square
Albany, New York 12205
Phone: (518) 456-7501

Web: www.epilepsyfoundation.org/local/efneny/index.cfm

Disability Advocates, Inc.

5 Clinton Square, 3rd Floor
Albany, New York 12207
(518) 432-7861 (voice and TTY)

ADA – Americans with Disabilities Act

- The Americans with Disabilities Act (ADA) was signed into law under President George H.W. Bush in 1990. It applies to all private and state-run businesses, employment agencies and unions with more than fifteen (15) employees. The goal is to make sure that no qualified person with any kind of disability is turned down for a job or promotion, or refused entry to a public area.

ADA Transportation Regulations

- These Federal regulations cover fixed route and paratransit buses as well as other transportation. The parts pertaining to transportation are 49 C.F.R. § 37.129(a) and 49 C.F.R.
- Part 37, App. D, § 37.129, available at:
- www.fta.dot.gov/civilrights/ada/civil_rights_3906.html

Comparable/Complementary Service

- Paratransit service must be comparable to service that you would have if you used a fixed route (regular) bus.

Denials

- A trip that cannot be accommodated for the day that it was booked. If trip is postponed beyond the current day, it will be rescheduled for the next service day.

Denials Accommodated

- These are denied trips that CDTA is able to provide service for on the current transit day.

Excessive long rides

- A paratransit trip that lasts longer than the summation of fixed route rides for the same trip purpose. CDTA will work to remediate the length of the trip to insure efficient ride options.

Federal Transportation Administration Office of Civil Rights Rider Complaint Form

- This form is available if you have a complaint or appeal that has not been resolved to your satisfaction by CDTA/STAR. It is available at: http://www.fta.dot.gov/12874_3889.html

Glossary:

Fixed Route Service: Service operating along a prescribed route

Late cancellation:

A cancellation that is less than 2 hours from the trip pickup time. Three (3) late cancellations are equal to one No Show

Missed Trip

When STAR arrives after the 25-minute window and the customer no longer wants the trip.

No Show

When a STAR customer, without good reason, is not at their pickup location at the reserved pickup time and within 25 minutes thereafter

On-Time Performance

This refers to the level of success of the bus service adhering to the published schedule. On-time performance is normally expressed as a percentage, with a higher percentage meaning more vehicles are on time. For the purposes of on-time performance, STAR uses a zero-tolerance policy for early arrivals and a 25-minute window for late departures.

Paratransit, ADA paratransit

Service for people with disabilities that are unable to use the fixed route system.

ADA paratransit is the minimum level of paratransit service allowed by the Federal Government.

Representative and Transportation Dispatcher

The direct person taking reservation requests, confirming trip information and same day service inquiries
STAR

Special Transit Available by Request. STAR is CDTA's Paratransit service. STAR service is a shared ride, meaning others are picked up and dropped off during your ride.

Complaint Procedure:

TITLE II OF THE AMERICANS WITH DISABILITIES ACT

COMPLAINT PROCESS

NOTICE REQUIREMENTS

Title II of the Americans with Disabilities Act (the “ADA”) protects qualified individuals with a disability from discrimination on the basis of that disability in the services, programs, or activities of the Capital District Transportation Authority (CDTA). This notice is posted to inform the public of the provisions of Title II of the ADA and the requirements of the federal ADA regulations.

Complaint Procedure

The Capital District Transportation Authority (CDTA) does not discriminate against qualified individuals with a disability in its services, programs, or activities. Also, qualified individuals with a disability are not excluded from participation in or denied the benefits of the services, programs, or activities of the Capital District Transportation Authority (CDTA). If you have a complaint under Title II of the ADA about the services, programs, or activities of the Capital District Transportation Authority (CDTA), you are encouraged to file your complaint with the **ADA Certification Manager**:

Name: Tanya Pitts

Title: ADA Certification Manager

Office Address:

Capital District Transportation Authority

110 Watervliet Avenue Extension

Albany New York 12206

Phone Number: (518) 437-8378

Fax Number: (518) 437-8391

E-Mail: tanyap@cdta.org

Day/Hours available (Monday-Friday): 8:00 a.m. to 4:00 p.m.

The Capital District Transportation Authority (CDTA) complaint procedure is designed to formally resolve complaints of disability discrimination under Title II of the ADA.

To file a complaint, please follow the steps of the Capital District Transportation Authority (CDTA), ADA Complaint procedure (listed on the next page).

Complaint Procedure:

PROCEDURE

The ADA compliance procedure is designed to formally resolve conflicts with Capital District Transportation Authority (CDTA) involving allegations of discrimination in access to government programs, services, and benefits for persons with disabilities under Title II of the ADA.

Your first point of contact in this procedure is the ADA Certification Manager in whose Transportation Department you believe that non-compliance with Title II has occurred.

If you need assistance in filing or writing your complaint, the ADA Certification Manager or designee will, at your request, help you locate an impartial advocate or representative not associated with Capital District Transportation Authority. You must also specify any other reasonable accommodation you may require in order to effectively communicate your complaint. The complaint form must be filled out completely and filed with the ADA Certification Manager **within 90 calendar days** from the date of the alleged discriminatory action or practice.

Once you have completed the Complaint Form on the next page, follow the steps listed for filing your complaint. It is important for you to keep copies of your original complaint, notifications you receive after meeting with the ADA Certification Manager, as well as any other correspondence or documentation related to your complaint. Please bring those copies to all meetings, reviews, and appeals related to your complaint.

STEPS FOR FILING YOUR TITLE II ADA COMPLAINT

Step 1: Fill Out and Deliver Your Complaint

Hand deliver, mail or email your complaint to the Capital District Transportation Authority (CDTA) ADA Certification Manager. If you need a Reasonable Accommodation, such as an interpreter or an alternative format, please list this on your complaint form so the ADA Certification Manager will be able to effectively communicate with you at your meeting.

Step 2: Meet with the ADA Certification Manager

- a) **Within 10 business days** of having received the complete complaint, the ADA Certification Manager will meet with you personally, or contact you by telephone.

- b) **Within 5 business days** of this meeting, a copy of your complaint, and a brief report of the outcome will be communicated in writing and a copy kept for our records.

Step 3: Resolution of Your Complaint

- a) If a **satisfactory resolution** is reached, a written agreement will be jointly developed and signed by you, the ADA Certification Manager and the Director of Transportation. The agreement of resolution will be issued to you within **10 business days**. The written agreement will include:
 - 1) A description of the complaint
 - 2) A finding of facts
 - 3) A description of how the complaint will be resolved
 - 4) When the complaint will be resolved
 - 5) An assurance that the Capital District Transportation Authority will comply with the specific terms of the agreement

- b) If the Capital District Transportation Authority is **unable to resolve** the complaint, you will be notified of this non-resolution **within 10 business days**.

The notification will include:

- 1) A description of the complaint
- 2) A summary of any resolution(s) proposed
- 3) A statement addressing the issues that were not resolved at the meeting.

Step 4: Request for Review by the ADA Certification Manager.

If a satisfactory resolution is not reached through the ADA Certification Manager, you may request a review of your complaint by the Director of Transportation. Your request for review should be made **within 10 business days** after you receive your notification of non-resolution. The Capital District Transportation Authority requests that you include a copy of your original complaint, **and** documentation from Step 3 (b). Your request for review must be filed on the attached form.

REQUEST FOR REVIEW OF DEPARTMENT

ADA COMPLAINT DECISION

Name: _____

Mailing Address: _____

Telephone (work) _____

(msg.) _____

Department/Agency complaint is with:

Detailed Statement of the Reason(s) for Your Request for Review of
the Decision Regarding Your Complaint:

NOTE: The Capital District Transportation Authority requests that you include a copy of your original complaint, as well as documentation of the results of your meetings with the department/agency Manager.

Your Signature or Signature of Your Representative

Reasonable Modification Policy

1. Background

On March 13, 2015, as part of the Federal Register Vol. 80, No. 49 (80FR13253), the Federal Department of Transportation (DOT) issued a Final Rule effecting 49 CFR Parts 27 and 37: Transportation for Individuals with Disabilities; Reasonable Modification of Policies and Practices. The purpose behind this final rule is:

"...specifically to provide that transportation entities are required to make reasonable modifications/accommodations to policies, practices, and procedures to avoid discrimination and ensure that their programs are accessible to individuals with disabilities."

2. Policy

Capital District Transportation Authority, "CDTA" is committed to providing equal access and opportunity to qualified individuals with disabilities in all programs, services, and activities. CDTA recognizes that, in order to have equally effective opportunities and benefits, individuals with disabilities may need reasonable modifications to policies and procedures. CDTA will adhere to all applicable federal and state laws, regulations, and guidelines with respect to providing reasonable modifications, as necessary, to afford equal access to programs for persons with disabilities. CDTA does not discriminate on the basis of disability in admission to, participation in, or receipt of services and benefits under any transit program or activity. CDTA will take appropriate steps to ensure that persons with disabilities have an equal opportunity to participate.

No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of CDTA, or be subject to discrimination by CDTA.

3. Reasonable Modifications

A reasonable modification is a change or exception to a policy, practice, or procedure that allows disabled individuals to have equal access to programs, services, and activities. CDTA will make reasonable modifications to policies, practices, and procedures when necessary to ensure access to transit services for qualified individuals with disabilities, unless:

- Making the accommodation would fundamentally alter the nature of the public transportation service.
- Making the accommodation would create a direct threat to the health or safety of other passengers.
- The individual with a disability is able to fully use CDTA's service without the accommodation being made.

- Where granting the request would cause an undue financial and administrative burden.

4. Eligibility Criteria

An individual is eligible to be considered to receive a reasonable modification if that individual has a physical or mental impairment that substantially limits one or more of the major life activities of such individual, a record of such impairment, or been regarded as having such impairment.

5. Requests for Reasonable Modifications

CDTA provides information about how to make requests for reasonable modifications readily available to the public through its website and rider policy guidelines. CDTA will follow these procedures when taking requests:

- a. Individuals requesting modifications shall describe what they need in order to use the service.
- b. Individuals requesting modifications are not required to use the term “reasonable modification” when making a request. Personnel at CDTA will determine if the request represents a reasonable modification and proceed in accommodating the request accordingly.
- c. Whenever feasible, CDTA requests that individuals make such requests for modifications before CDTA is expected to provide the modified service.
- d. Where a request for modification cannot practicably be made and determined in advance (*e.g.*, because of a condition or barrier at the destination of a paratransit, demand response, or fixed route trip of which the individual with a disability was unaware until arriving), operating personnel shall make a determination of whether the modification should be provided at the time of the request. Operating personnel will consult with CDTA’s management before making a determination to grant or deny the request.

Requests for accommodation can be submitted in any written format (i.e. letter, email). Alternative means of filing a request, such as personal interviews, phone calls, or taped requests, will be made available for persons with disabilities if unable to communicate their request in writing or upon request. The reasonable accommodation process begins as soon as the request for accommodation is made.

6. Interactive Process

When a request for accommodation is made, CDTA will make every effort to engage in a good faith interactive process with the individual requesting an accommodation to determine what, if any accommodation shall be provided. Communication will be a priority throughout the entire process. That communication will include information about the request, the process for determining whether an accommodation will be provided, and the potential accommodations.

7. Time Frame for Processing Requests and Providing Reasonable Modification

CDTA will process requests for reasonable accommodation and then provide accommodations, where appropriate, in as short a time frame as reasonably possible. CDTA recognizes, however, the time necessary to process a request will depend on the nature of the accommodation(s) requested and whether it is necessary to obtain supporting information.

8. Granting a Reasonable Modification Request

As soon as CDTA determines a reasonable accommodation will be provided, that decision shall be immediately communicated to the individual. This notice must be in writing in order to maintain the required information for reporting purposes. Upon request, alternative means of response will be provided in addition to the written response.

In choosing among alternatives for meeting nondiscrimination and accessibility requirements with respect to new, altered, or existing facilities, or designated or specified transportation services, CDTA shall give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate to the needs of individuals with disabilities.

9. Denying a Reasonable Modification Request

As soon as CDTA determines a request for reasonable accommodation will be denied, CDTA will communicate the basis for the decision in writing to the individual requesting the modification. The explanation for the denial will clearly state:

- a. specific reasons for the denial;
- b. any alternative accommodation that may create the same access to transit services as requested by the individual; and
- c. the opportunity to file a complaint relative to the CDTA's decision on the request.

10. Complaint Process

Any person who believes she or he has been discriminated against in obtaining a reasonable modification may file a formal complaint. CDTA has a process for recording, investigating, and tracking complaints from qualified individuals. Complaints are taken by CDTA Call Center staff via telephone. In addition, individuals can file a complaint via email to tanyap@CDTA.org. Alternative means of filing complaints, such as personal interviews or taped requests, will be made available for persons with disabilities if unable to communicate their request in writing or upon request.

CDTA investigates complaints generally within 10 days after receipt. Once the complaint is received, the complainant will receive an acknowledgment of receipt typically within three days after the complaint was filed. If more information is needed to resolve the complaint, CDTA may contact the complainant. If the information is not received within 30 days from the date of the original complaint, the complaint will be marked undetermined and closed.

After CDTA investigates the complaint, a decision will be rendered in writing to the complainant. CDTA will issue either a Letter of Closure or Letter of Finding.

- a. *Letter of Finding* – This letter will summarize the complaint, any interviews conducted regarding the complaint, and explain what actions will be taken by CDTA to address the complaint.
- b. *Letter of Closure* – This letter will explain why CDTA has determined the complaint does not merit accommodation under the Americans with Disabilities Act and that the complaint will be closed.

If the complainant disagrees with the decision of CDTA, an opportunity to appeal the decision may be pursued provided the notice of appeal is received within 60 days of the initial decision by CDTA.

In the event of appeal, the complainant will be granted all due process, including the ability to present additional evidence, present the case in person during an appeal hearing, and to be represented by counsel.

11. Designated Employee

CDTA's designated official responsible for processing reasonable modification requests and handling complaints is:

Tanya L. Pitts

ADA Certification Manager

Capital District Transportation Authority

110 Watervliet Avenue Extension

Albany, New York 12206

Office: (518) 437-8378

Cell: (518) 698-6716

Fax: (518) 437-8391

12. Record Retention

CDTA will maintain all records related to reasonable modification requests and denials for at least three (3) years.

The law

The ADA Rehabilitation Act requires all organizations and agencies that receive federal funding to modify their policies, practices and procedures to be accessible to individuals with disabilities. This includes public transportation agencies.

Types of public transportation services

There are three titles to the Americans with Disabilities Act (ADA). Title II covers public entities, and Title III covers public accommodations. Reasonable accommodation applies to Title I and reasonable modification applies to Title II and Title III.

Actually, the ADA language requiring “reasonable accommodation” applies to public services, benefits and programs as found in the regulations implementing Title II of the ADA. These regulations require “reasonable modifications” to public services and programs that discriminate on the basis of disability unless such modifications would fundamentally alter the nature of the service or program. (emphasis in original).

Title II. Public entities

28 C.F.R. Part 35 is the Department of Justice (DOJ) regulations for Title II, and 28 C.F.R. § 35.130(b) (7) is the regulation that defines “reasonable modification.”

28 C.F.R. § 35.130(b) (7).

A public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

Title III. Public accommodations

Title III of the Act requires without exception that any “policies, practices, or procedures” of a public accommodation be reasonably modified for disabled “individuals” as necessary to afford access unless doing so would fundamentally alter what is offered. To comply with this command, an individualized inquiry must be made to determine if a specific modification for a particular person’s disability would be reasonable under the circumstances as well as necessary for that person, and yet at the same time not work a fundamental alteration. (public accommodations “are required to make decisions based on facts applicable to individuals”). (citations omitted and emphasis added).

Modifications

Modifications that make public transportation accessible to individuals with disabilities may include ramps, lifts, changes in stop locations, designated seating areas, complementary (non-fixed route) bus systems.

Requests for modifications

Capital District Transportation Authority Responsibilities:

Provide information to the public about the process for requesting reasonable modification in accessible format types.

Clearly state the eligibility requirements and the timeline for requesting reasonable modifications.

Provide several accessible ways to request the reasonable modification — for example, through phone, email, TTY or on the transit provider’s website.

Inform customer of decision to grant or deny request.

Customer’s Responsibilities:

Provide a clear description of the modification needed to use the transportation service (for example, relocating a bus stop to the next block if the current location is inaccessible).

Make the modification request as far in advance as possible, particularly when there is a long-term problem. For example, there is no accessible bus stop, the ramp to the passenger’s front door is too steep to be picked up at the front, construction blocks the regular route, etc. Advance requests can be made at any time during the eligibility determination, reservation or reasonable modification process.

Capital District Transportation Authority does not need to provide a modification if it:

Causes a direct threat to the health and/or safety of others. For example, when assisting a passenger means leaving the transit vehicle unattended in a high traffic area, that could likely result in a collision and endanger the safety of the other passengers.

Results in a fundamental alteration of the service. For example, if an individual requests the driver of a fixed-route service to stop at a location that is not on the schedule, this is a fundamental alteration to fixed-route service.

Is unnecessary for the individual with the disability to receive services. For example, a passenger asks to sit in the same seat every time because of a personal preference.

Results in an undue financial or administrative burden to the transit agency. (Applies only to recipients of Federal financial assistance.) An individual who requests a specific driver for a paratransit trip may be denied this request due to causing an administrative burden.

Common examples of reasonable modification requests in fixed-route transportation include:

Positioning the bus for loading and unloading in a location where there are no obstructions, such as con-

struction.

Allowing a person with diabetes to eat on the bus to avoid a drop in their glucose.

Common examples of reasonable modification requests in paratransit include:

Picking a rider up at a building entrance that is flat and unobstructed.

Helping an individual who is blind get to the front of the building in extreme weather.

How to Request Reasonable Modifications

1. Follow the reasonable modification process of the Capital District Transportation Authority directly first. For more information on Request Reasonable Modifications, contact the Capital District Transportation Authority's ADA Certification Manager.

2. If the Capital District Transportation Authority is unable to resolve the modification, you can file a complaint with the Federal Transit Administration Office of Civil Rights.

3. Complaints should be filed within 180 days from the date of the incident. Please download the FTA complaint form and mail it to:

Capital District Transportation Authority

Attention: ADA Certification Manager

110 Watervliet Avenue

Albany, New York 12206

Email: tanyap@CDTA.org

Phone: (518) 437-8378

Fax: (518) 437-8391

Include the following information with your form:

Statement of events including the date(s) and time(s)

Any supporting documentation

Requester: _____

Address: _____

City, State and Zip Code: _____

Telephone: Home: _____

Business: _____

Person requesting Reasonable Modification:

(if other than the Requester)

Address: _____

City, State, and Zip Code: _____

Telephone: Home: _____

Business: _____

Government, or organization, or institution which you believe has discriminated:

Name: _____

Address: _____

County: _____

City: _____

State and Zip Code: _____

Telephone Number: _____

Describe the request you're looking to modified (use space on page 3 if necessary):

Have efforts been made to resolve this modification through the internal grievance procedure of the government, organization, or institution?

Yes _____ No _____

If yes: what is the status of the grievance? _____

Additional space for answers:

Signature: _____

Date: _____

Return to: Tanya Pitts

Title: ADA Certification Manager

Office Address: Capital District Transportation Authority

110 Watervliet Avenue, Albany, New York 12206

Phone Number: (518) 437-8378

Fax Number: (518) 437-8391

E-Mail: tanyap@cdta.org

Day/Hours available (Monday-Friday): 8:00 am to 4:00 pm

Expiration Date:

You will receive a letter from CDTA that describes the findings of the investigation and any corrective action the Capital District Transportation Authority is required to take.

For more information about the ADA and Capital District Transportation Authority, please call the ADA specialist at (518) 437-8378 or (518) 437-8300. All calls are confidential

Notes:

Notes:

