

# American with Disabilities Act (ADA) Policy

## Haralson County Transit

Approved By: Allen Cook, Chairman/CEO  
Haralson County

Date: April 18, 2018

## I. Goal

It is the goal of **Haralson County Transit**, to provide rural public transit service that is safe, efficient, and effective for persons with disabilities. Haralson County Transit works to ensure nondiscriminatory transportation in support of the Federal Transit Administration's mission to enhance the social and economic quality of life for all Americans.

## II. Policy

It is the policy of **Haralson County Transit** to abide by all provisions of the Americans with Disabilities Act (ADA) of 1990, Section 504 of the Rehabilitation Act of 1073 and US Department of Transportation (DOT) implementation regulation found at 49 CFR parts 27, 37 and 38 as amended, in the delivery of transit services that are open to the public and prohibits discrimination on the basis of disability and sets specific requirements that transit agencies must follow.

## III. ADA Requirements

**Equivalent Service - Haralson County Transit** provides demand response rural public transportation and provides equivalent service to individuals with disabilities that is consistent with DOT ADA 49 CFR Part 37.77. This transportation will be provided in the most integrated setting appropriate to the needs of the individual and will be equivalent to the service provided other individuals with respect to:

- Response time
- Fares
- The geographic area of service
- Hours and days of service
- Restrictions or priorities based on trip purpose
- Availability of information and reservations capability
- Any constraints on capacity or availability

## IV. General Service Requirements

**A. Training - Haralson County Transit** shall ensure that personnel is trained to proficiency, as appropriate to their duties, so that they operate vehicles and equipment safely and properly assist 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.

**B. Service Animals** – The **Haralson County Transit** shall permit service animals to accompany individuals with disabilities in vehicles and facilities. Under the Americans with Disabilities Act of 1990, a service animal is defined as *“any guide dog, signal dog, or other animal that is individually trained to do work or perform tasks for an individual with a disability, including, but not limited to, alerting individuals with impaired hearing to intruders or sounds, to providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.”* (49 CFR 37.3)

Control of the service animal is the responsibility of the animal's handler. Any animal out of control will not be transported. If an animal's behavior creates a hazard or direct threat, the accountability for damages or injuries shall remain with the person responsible for the animal.

Service animals should sit or lie on the floor. Animals should not occupy a passenger seat, and should not block the passenger aisle.

- C. **Transporting of Wheelchairs - Haralson County Transit** will accommodate mobility devices. Three or more wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered, will be accommodated as long as the lift can accommodate the size and weight of the wheelchair and its user and there is space for the wheelchair on the vehicle. Mobility devices will not be transported if they are inconsistent with legitimate safety requirements.
- D. **Wheelchair Securement** – Section 38.23 (d) of DOT's ADA regulation requires all ADA compliant vehicles to have a two-part securement system: one to secure the common wheelchair and a seatbelt and shoulder harness for the wheelchair user (such seat belts and shoulder harness shall not be used in lieu of a device which secures the wheelchair or mobility aid itself.)

The securement system shall limit the movement of an occupied wheelchair or mobility aid to no more than 2 inches in any direction under normal vehicle operating conditions. (49 CFR 38 (d)(5))

All wheelchairs must be secured to the floor of the vehicles using the securement equipment.

- E. **Lift Deployment** – Passengers will be permitted to use a lift or ramp to board or disembark from a vehicle at any designated stop, unless the lift or ramp cannot be deployed, the lift or ramp will be damaged if it is deployed, or temporary conditions preclude the safe use of the stop by all passengers. Standees should stand in the center of the platform facing the direction of travel. If capable, the passenger should hold both handrails when on the platform.

## V. **Passenger Responsibilities**

- Passengers must be able to sit in a bus seat or wheelchair in order to be transported.
- All passengers on the vehicle are required to wear seat belts to include lap and shoulder belts (if available). Therefore, persons in wheelchairs will also be required to be secured. Persons who, for medical reasons, are unable to wear a safety belt may under Georgia Law (OCGA 40-8-76.1) provide a written statement from a physician stating that the person is unable to wear a seat belt due to medical reasons. With this documentation, the person can be exempt from wearing a seatbelt.
- **Haralson County Transit** will deny service to any individual who engages in violent or illegal conduct.

- If a passenger's physical condition or conduct is hazardous, or their behavior is seriously disruptive and/or a direct threat to others, service will be denied.
- Should a passenger be denied service, the passenger will be notified of his/her right to appeal the denial of service and **Haralson County Transit** will hear the appeal as soon as reasonably possible.

## **VI. Driver Responsibilities**

- Drivers are responsible for loading and unloading passengers from the vehicle. This includes asking each passenger if assistance is needed to board or disembark from the vehicle.
- Drivers must be nearby to offer assistance even if the offer of assistance is refused by the passenger.
- Drivers are not permitted to enter a passenger's home under any circumstance.
- Drivers are not permitted to lift passengers unless it is in an emergency or evacuation situation.
- Drivers will allow all passengers who request the lift to board or exit the vehicle using the lift.
- Secure all wheelchairs and mobility aids on the vehicle.
- Ensure that the passengers in wheelchairs are properly secured with lap and shoulder belts.
- Allow service animals on the vehicle.
- Drivers may help passengers take lightweight items off the vehicle and set them on the curb. If additional assistance is required, this assistance may be rendered on a case-by-case basis.

## **VII. Personal Care Attendants and Companions**

Personal Care Attendants (PCA's ) are not required. If a PCA accompanies a passenger, the PCA will ride free of charge.

A companion (friend or family member) is not considered a personal care attendant unless the eligible individual regularly makes use of a personal care attendant and the companion is actually acting in that capacity.

During the reservation process, an individual must indicate whether he/she will be traveling with a personal care attendant. If someone does not indicate the use of an attendant, then any individual accompanying him/her would be regarded as a companion.

## **VIII. Accessible Communication**

**Haralson County Transit** is committed to providing information about its services, policies, and procedures to the public in accessible formats for persons with disabilities. **Haralson County**

**Transit** shall provide a TTY number (or make use of an operator-assisted RELAY service) so that persons with hearing or speech impairments may communicate with and receive information from **Haralson County Transit** staff.

**IX. Public Involvement - Haralson County Transit** will provide on-going mechanisms in accessible formats to involve the public in decisions regarding its accessible services, proposed service changes, proposed fare increases, policies and procedures, and other similar topics.

**X. Complaints**

**Haralson County Transit** requests that passengers who feel they are discriminated against under ADA first file a complaint with **Haralson County Transit**. Complete the complaint form in Exhibit 1 and mail to:

{Transit System Contact Name and Address}

**Haralson County Transit** will attempt to make reasonable accommodations for all requests received and will maintain a log of all complaints and related actions.

Any passenger who feels that their complaint has not been satisfactorily resolved by Haralson County Transit may file a complaint with the Department of Justice at <https://www.ada.gov/complaint/> or mail the form provided to:

US Department of Justice  
950 Pennsylvania Avenue, NW  
Civil Rights Division  
Disability Rights Section – 1425 NYAV  
Washington, D.C. 20530

**Exhibit 1**

**Americans with Disabilities Act (ADA)  
Complaint Form  
Haralson County Transit**

Name of Person Filing Complaint: \_\_\_\_\_

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

City, State and Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_

Person discriminated against (if not listed above): \_\_\_\_\_

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

City, State and Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_

Where did the discrimination occur? \_\_\_\_\_

Date: \_\_\_\_\_

Describe the situation or acts of discrimination providing the name(s) where possible of individuals who discriminated:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please mail this form to:

**Haralson County Transit  
155 Van Wert St.  
Buchanan Ga. 30113**