

REPORT FOR

**ADA COMPLIANCE REVIEW OF
METRO TRANSIT ST. LOUIS
CALL-A-RIDE, METROBUS AND METROLINK
SERVICES**



SUBMITTED BY:

ADA GURU
Jess Segovia, ADA Compliance Consultant



MARCH 24, 2024

INTRODUCTION

Public transportation serves as a vital lifeline for millions of individuals, enabling access to employment, education, healthcare, and social opportunities. However, for individuals with disabilities, the accessibility of public transportation is not merely a matter of convenience but a fundamental right. The Americans with Disabilities Act (ADA) of 1990 stands as a cornerstone legislation, mandating that public transportation agencies provide accessible services to all individuals, regardless of their physical or cognitive abilities. Compliance with the ADA is not only a legal obligation but also a moral imperative to ensure equitable access to transportation services.

The Metro Transit ADA Compliance Review, conducted by Jess Segovia of ADA Guru, was a comprehensive review of Call-A-Ride, MetroBus, and MetroLink services. The review included, when appropriate, observations about the vehicles and other accessibility-related equipment used in the delivery of Metro Transit's public transportation services.

This report embarks on a comprehensive examination of achieving ADA compliance of Metro Transit's Call-A-Ride, MetroBus, and MetroLink services, aiming to evaluate its adherence to the federal requirements in order to provide accessible public transit services to passengers with disabilities. By examining these services, ADA sought to identify areas of strength and opportunities for improving Metro Transit's compliance with the ADA, and ultimately striving towards the enhancement of accessibility and inclusivity.

Federal Regulations Compliance

At the core of ADA compliance in public transportation lies adherence to federal regulations outlined by the U.S. Department of Transportation (DOT) and the Federal Transit Administration (FTA). The findings of this report detail the ways that Metro Transit services align their policies, infrastructure, and services with the requirements set forth in the ADA. Key considerations include the provision of accessible vehicles, facilities, signage, communication processes, reasonable modification of policies, equivalency in paratransit services, and accommodation of passengers with service animals.

Documents Review

Effective documentation serves as a cornerstone for ensuring accountability and transparency in ADA compliance efforts. A comprehensive review of Call-A-Ride, MetroBus, and MetroLink documentation was completed. ADA Guru reviewed standard operating procedures, operating and training manuals, complaints information and reports, operator training material, public outreach information, website content, operational performance reports, etc.

Below is a partial list of documents reviewed as a part of this ADA Compliance Review:

Samples of Completed Pre-/Post-Trip Inspection Cards, Shadow Sheets, Accessibility Equipment Breakdown Reports, Vehicle Defects Reports, Road Call Logs, Transit Service Manager (TSM) Training Manual, Vehicle Accident/Incident Classification Definitions, Vehicle Accident Procedures, Dispatch Manual and Glossary, Opening Procedures, and New Hire Checklist,

Medical Emergency Passenger Injury Procedures, Daily Dispatch Tasks, Trapeze Driver and Scheduler Manuals, COM Instructions, Operator Training Manual, Operator Evaluation Form, Training Syllabus, FTA Circular 2015, Welcome New Driver Packet, How to Calm and Retain Angry Customers Training Handout, 5 Ways to Improve Listening Skills Training Handout, Operator Memos on Wheelchair Securement, Picking Up / Dropping Off Passengers Safely, Passenger Lift and Securement, Operator Orientation Packet, Procedures for Seat Positioning / Securement / Seat Belt Usage, Employee Self Evaluation Form, Employee Handbook, End of Orientation Completion Form, Customer Service Training Manual, Complaints Report (2021-2023), Guide for Pulling Videos, Complaint Investigation Procedures, ADA Denials by Week Report, FY23 FTA Triennial Review Final Report, ADA Violation Definitions, Reasonable Modification Report, Safety Committee Notes and Reports, Monthly Status Reports, Accident Reports, TSM Supervisor Accident Report Forms, TSM Radio Dispatcher Training Handbook, ADA Bulletin Bus Operations, MetroLink Station Shuttle SOP, WC Injury Reporting and Investigation SOP, Spill Response and Control SOP, Bus & Car Accident and Emergency SOP, Road TSM Training Course and Handbook, Guidelines to Excellence, Road Dispatcher Training, Operator Training Manual, Operator Retraining Program, Operator Apprentice Training Handbook, Complaints Report, Trouble Record, Pass-up Report, Service Change Materials, Title VI Program, ADA Sensitivity Training for MetroLink Operators, Metro's Guide to Accessibility and Independence, ADA Customer Advisory Group Agendas and Notes, Regional Transportation Disability Resource Network Meeting Summaries, Public Outreach documents for most recent service changes, Public Meeting Notices, On the Way with ADA Outreach Material, Metro Stakeholder Meeting Agendas, Eligibility Determination Application Packet, Sample Eligibility Files including Determinations and Appeals, Determination Data Reports, MTM Contract Information,

Staff Interviews

Engagement with key personnel within Metro Transit was crucial to gaining firsthand insights into ADA compliance efforts. Through interviews with management, operations staff (Road and Desk TSM's, Trainers, Customer Service, Reservations, Maintenance, etc.), accessibility coordinators, and other frontline employees, ADA Guru was able to assess Metro Transit's understanding of ADA requirements, challenges encountered in implementation, training needs, and strategies for enhancing accessibility.

Disability Community Feedback

Community stakeholders, including individuals with disabilities, advocacy groups, and local organizations, play a pivotal role in shaping the accessibility policies and practices of public transportation agencies. By conducting interviews with these stakeholders, ADA Guru attempted to capture their perspectives, experiences, and recommendations regarding the accessibility, and usability, of Metro Transit services. Interacting with the community assisted ADA Guru in identifying barriers to using Call-A-Ride, MetroBus and MetroLink services.

These interactions included one-on-one interviews via zoom and telephone, attending and presenting at disability advocate meetings, and receiving email communications detailing passenger experiences, concerns, and recommendations. The feedback received was overwhelmingly specific to Call-A-Ride services, however, meaningful feedback was also provided regarding MetroBus services.

In addition to comments received regarding the operational effectiveness and level of ADA Compliance of Metro Transit services and recent (and anticipated) service changes, comments were provided regarding their perceived ineffectiveness of Metro Transit's public involvement processes. Many members of the disability community expressed frustration with not only reductions and changes to the Call-A-Ride service area, but with the process of communicating such changes and obtaining the community's opinions on the proposed changes. This ADA Compliance Review included a review of Metro Transit's public outreach efforts and recommendations for enhancing these processes is recommended.

Onboard Service Observations

Observing vehicle operators in the delivery of service is paramount to ensuring compliance with the ADA for several compelling reasons. First and foremost, operators serve as the frontline ambassadors of Metro Transit, directly interacting with passengers on a daily basis. Their adherence to ADA regulations significantly influences the quality of service experienced by individuals with disabilities.

By observing Operators, ADA Guru was able to assess their familiarity with ADA requirements pertaining to wheelchair securement, passenger assistance, priority seating, and communication with passengers with disabilities. These observations provided valuable insights into the extent to which operators integrate accessibility considerations into their daily routines and interactions.

Observing Operators also allowed for ADA Guru's identification of training needs and areas for improvement in ADA compliance. By using real-time feedback and constructive coaching, Metro Transit can reinforce best practices, address deficiencies, and promote a culture of inclusivity and sensitivity towards passengers with disabilities.

Below are the findings of Call-A-Ride, MetroBus and MetroLink service observations made by ADA Guru during their visit to St. Louis in late February / early March 2024:

“ADA Guru, as a part of the Metro Transit ADA Compliance Review, completed over 15 hours of service observations for Call-A-Ride, MetroBus and MetroLink services between February 29 and March 2, 2024. This information documents the observations made during these undercover “ride-alongs” (MetroBus and MetroLink). The “ride-alongs” were intended to supplement the documentation review, staff interviews and community feedback received regarding Metro Transit's compliance with the ADA and the usability of public transit services by all passengers, especially passengers with disabilities.

General Findings

Overall, Call-A-Ride, MetroBus and MetroLink services were found to be meeting the standard for safe, compliant transit services for passengers with disabilities. While there were instances of service delivery that may negatively impact the experience of a passenger with a disability, and these observations are detailed below, there did not appear to be any patterns or practices that, in ADA Guru's opinion, meet the standard of violating the ADA.

Service delivery issues included buses placed unreasonably far from the curb and boarding/alighting, inconsistent bus stop announcements, not offering wheelchair securement when boarding, difficult to hear rail car announcements, rail Operator not giving additional time for a passenger to board, and a lack of guidance for passengers with disabilities to board the first car successfully (important when operating single car service).

Call-A-Ride Service Observations

ADA Guru spent over three (3) hours with a TSM as they completed multiple “Wellness Checks” of Van Operators. Observations of the boarding of fifteen passengers was observed and no performance issues or policy/ADA violations were observed. Passengers were greeted, boarded safely, seatbelts secured, wheelchair secured (when needed), etc.

ADA Guru requested, and observed, a Van Operator secure a wheelchair on a lift equipped and a ramp equipped vehicle. During the lift equipped van securement observation, the Operator placed the lap belts over the armrest, which is discouraged as a general practice. ADA Guru provided feedback on avoiding this practice and how to, when possible, place the lap and shoulder belts as close to the passenger’s body as possible. It should be noted that placement of belts on or close to a passenger’s body is not always possible, as there are elements that are not in the control of the Operator, including the type and size of the wheelchair, the size of the rider, the presence of backpacks and other bags, the size of the wheelchair securement area, etc. The securement of a wheelchair on the ramp-equipped van was completed satisfactorily by a different Van Operator.

MetroBus Service Observations

ADA Guru spent over seven (7) hours riding MetroBus services in and around downtown St. Louis. This included routes 2, 40, 70, and 11. In addition, ADA Guru observed services at the Central West End Transit Center and Broadway-Taylor Transit Center. In total, ADA Guru boarded and rode on ten (1) buses.

Several ADA-related observations were made during these undercover “ride-alongs”. First, an observation was made of three (3) Bus Operators positioning their bus unreasonably far from the curb when boarding / alighting. In a few instances, the bus appeared to be 3-4 feet from the curb. This forced passengers to step into the street and then onto the bus, making boarding more difficult. At one stop, a passenger using a manual wheelchair boarded the bus. There was no observation made or heard of the Operator offering wheelchair securement. The passenger, under their own power, placed their wheelchair in the wheelchair securement area and transferred to a seat for the duration of the ride. The ramp was deployed successfully for boarding and alighting. It is recommended that additional training be provided to enforce MetroBus policy on offering wheelchair securement to every passenger boarding.

There were also instances of the automated announcements either not working or malfunctioning and making the wrong announcements. This was observed on only one of the buses boarded by ADA Guru. It is recommended that additional attention be given to the Pre- and Post-Trip Inspection process and accurate reporting of broken/malfunctioning accessibility equipment.

Although several observations were made by ADA Guru regarding instances of challenges facing passengers with disabilities, general observations support an opinion that no patterns of practices of barriers to using MetroBus services were identified. Perhaps the most significant barrier to passengers with disabilities using MetroBus successfully is the frequent occurrence of buses with a standing load. On two (2) occasions, ADA Guru was unable to board a bus due to standing load.

MetroLink Service Observations

ADA Guru spent over five (5) hours riding MetroLink services, both the Blue and Red Lines. This included boarding and riding on ten (10) different rail cars. Service observations included instances of stop announcements not being made and/or very difficult to hear; especially in tunnels, when taking curves, etc. In addition, no digital signs were observed announcement upcoming stops, etc. This feature is important to passengers with hearing impairments. And become useful to ALL riders when there are instances of difficult to hear announcements.

In addition, an observation was made by ADA Guru of an Operator not seeing a passenger asking for assistance and/or to hold the rail car. In speaking with a Service Supervisor, they explained that Rail Operators are trained to watch the platform and hold service when needed. It did not appear that the Operator was watching the platform, as they ignored the request by the passenger to hold the car (the passenger knocked on the Operator's window).

Several passengers with disabilities were observed using MetroLink services successfully, including a passenger with a Service Animal, a passenger using a manual wheelchair, and a passenger with an apparent mobility issue (limping).

Another observation was the lack of a decal on station platforms identifying where passengers with disabilities should board at the first rail car. This is especially important given MetroLink's "single car" service practice. It is recommended that decals be added to the platform to ensure that passengers with disabilities do not face a barrier when single car service is operating.

Although several observations were made by ADA Guru regarding instances of challenges facing passengers with disabilities, general observations support an opinion that no patterns of practices of barriers to using MetroLink services were identified."

Recommendations

Overall, ADA Guru's opinion of the public transit services provided by Metro Transit are compliant with the vast majority of ADA Compliance requirements. A number of "deficiencies",

however, have been detailed in this report, including supporting conclusions of the findings of the recent FTA Triennial Review on Call-A-Ride's pattern or practice of denying trip requests and not having trip availability one day in advance. During the staff interview process, ADA Guru was impressed with the seriousness taken by staff over these "deficiencies", as well as their ongoing attempts to address the issues as quickly and reasonably as possible.

There does appear to be a disconnect between the important of customer service in documentation and training material, and the actual service being delivered to passengers with disabilities. This was especially present in the Call-A-Ride program, where a significant number of complaints were specific to Operator rudeness. ADA Guru has recommended that additional and ongoing training be completed to ensure that Call-A-Ride, and all of Metro Transit's services meet the ADA's requirement of treating passengers in a "courteous and respectful manner."

All of Metro Transit's services can benefit from improving and expanding their Operator / Service Oversight processes. By improving the quality of service observations by TSM's, and increasing their frequency, Operators failing to meet the standards of the ADA and Metro Transit's policies can be identified, counseled and retrained, as appropriate to the issue at hand.

While specific guidance and recommendations have been provided in this introduction, more detailed explanations of such recommendations can be found in the ADA Compliance Review information below.

In conclusion, this report endeavors to provide a comprehensive evaluation of ADA compliance within the public transportation services provided by St. Louis Metro Transit. By examining federal regulations compliance, operational practices, documentation and data, as well as engaging with key staff and community stakeholders, ADA Guru offers actionable insights that will support the agency in its commitment to enhancing accessibility and inclusivity for all passengers. Through concerted efforts and continuous improvement initiatives, ADA Guru is confident that Metro Transit can ensure that public transportation once again becomes, and remains, a mode of equal opportunity and freedom of mobility for individuals of all abilities.

TABLE OF CONTENTS

INTRODUCTION	1
Federal Regulations Compliance	2
Documents Review	2
Staff Interviews.....	3
Disability Community Feedback.....	3
Onboard Service Observations.....	4
General Findings.....	4
Call-A-Ride Service Observations.....	5
MetroBus Service Observations	5
MetroLink Service Observations	6
Recommendations.....	6
Section 1 – Nondiscrimination	17
1.1 – Prohibiting Discrimination.....	17
Call-A-Ride Finding - <i>Deficient</i>	17
MetroBus Finding – <i>Compliant with Recommendations</i>	18
MetroLink Finding - <i>Compliant with Recommendations</i>	18
1.2 – Denying Use of Services	20
Call-A-Ride Finding - <i>Deficient</i>	20
MetroBus Finding - <i>Compliant with Recommendations</i>	20
MetroLink Finding - <i>Compliant with Recommendations</i>	20
1.3 – Using Designated Seats	22
Call-A-Ride Finding - <i>Compliant</i>	22
MetroBus Finding - <i>Compliant</i>	22
MetroLink Finding - <i>Compliant</i>	22
1.4 – Special Charges	23
Call-A-Ride Finding - <i>Compliant</i>	23
MetroBus Finding - <i>Compliant</i>	23
MetroLink Finding - <i>Compliant</i>	23
1.5 – Not Requiring Attendants.....	24
Call-A-Ride Finding - <i>Compliant</i>	24
MetroBus Finding - <i>Compliant</i>	24

MetroLink Finding - <i>Compliant</i>	24
1.6 – Denying Service Due to Appearance / Involuntary Behavior	25
Call-A-Ride Finding - <i>Compliant</i>	25
MetroBus Finding - <i>Compliant</i>	25
MetroLink Finding - <i>Compliant</i>	25
Section 2 – Designation of Responsible Employee and Adoption of Complaint Procedures	26
2.1 – Designation of Responsible Employee	26
Call-A-Ride Finding - <i>Compliant</i>	26
MetroBus Finding - <i>Compliant</i>	26
MetroLink Finding - <i>Compliant</i>	26
2.2 – Designation of Responsible Employee	27
Call-A-Ride Finding - <i>Compliant</i>	27
MetroBus Finding - <i>Compliant</i>	27
MetroLink Finding - <i>Compliant</i>	27
Section 3 – Subpart D – Acquisition of Accessible Vehicles by Public Entities.....	28
3.1 – Vehicles Accessible to and usable by Individuals with Disabilities.....	28
Call-A-Ride Finding - <i>Compliant</i>	28
MetroBus Finding - <i>Compliant</i>	28
MetroLink Finding - <i>Compliant with Recommendations</i>	28
Section 4 – Subpart F – Paratransit as a Complement to Fixed Route Service	30
4.1 – Providing Paratransit Services Comparable to Fixed Route Services.....	30
Call-A-Ride Finding - <i>Deficient</i>	30
MetroBus Finding - <i>Not Applicable</i>	30
MetroLink Finding - <i>Not Applicable</i>	30
4.2 – ADA Paratransit Eligibility.....	31
Call-A-Ride Finding - <i>Compliant</i>	31
MetroBus Finding - <i>Not Applicable</i>	31
MetroLink Finding - <i>Not Applicable</i>	31
4.3 – Trip-by-Trip Eligibility	32
Call-A-Ride Finding - <i>Compliant</i>	32
MetroBus Finding - <i>Not Applicable</i>	32

MetroLink Finding - <i>Not Applicable</i>	32
4.4 – Permanent or Temporary Eligibility	33
Call-A-Ride Finding - <i>Compliant</i>	33
MetroBus Finding - <i>Not Applicable</i>	33
MetroLink Finding - <i>Not Applicable</i>	33
4.5 – Eligible Individuals #1	34
Call-A-Ride Finding - <i>Compliant</i>	34
MetroBus Finding - <i>Not Applicable</i>	34
MetroLink Finding - <i>Not Applicable</i>	34
4.6 – Eligibility – Rail System Accessibility	35
Call-A-Ride Finding - <i>Compliant</i>	35
MetroBus Finding - <i>Not Applicable</i>	35
MetroLink Finding - <i>Not Applicable</i>	35
4.7 – Eligible Individuals #2	36
Call-A-Ride Finding - <i>Compliant</i>	36
MetroBus Finding - <i>Not Applicable</i>	36
MetroLink Finding - <i>Not Applicable</i>	36
4.8 – Eligible Individuals with Companions / Personal Care Attendants.....	37
Call-A-Ride Finding - <i>Compliant</i>	37
MetroBus Finding - <i>Not Applicable</i>	37
MetroLink Finding - <i>Not Applicable</i>	37
4.9 – Establishing a Paratransit Eligibility Determination Process	38
Call-A-Ride Finding - <i>Compliant</i>	38
MetroBus Finding - <i>Not Applicable</i>	38
MetroLink Finding - <i>Not Applicable</i>	38
4.10 – Availability of Accessible Formats.....	39
Call-A-Ride Finding - <i>Compliant</i>	39
MetroBus Finding - <i>Not Applicable</i>	39
MetroLink Finding - <i>Not Applicable</i>	39
4.11 – Presumptive Eligibility	40
Call-A-Ride Finding - <i>Compliant</i>	40
MetroBus Finding - <i>Not Applicable</i>	40
MetroLink Finding - <i>Not Applicable</i>	40
4.12 – Eligibility Determinations in Writing	41
Call-A-Ride Finding - <i>Compliant</i>	41

MetroBus Finding - <i>Not Applicable</i>	41
MetroLink Finding - <i>Not Applicable</i>	41
4.13 – Content Requirements for Eligibility Determination Documentation ...	42
Call-A-Ride Finding - <i>Compliant</i>	42
MetroBus Finding - <i>Not Applicable</i>	42
MetroLink Finding - <i>Not Applicable</i>	42
4.14 – Recertification at Reasonable Intervals.....	43
Call-A-Ride Finding - <i>Compliant</i>	43
MetroBus Finding - <i>Not Applicable</i>	43
MetroLink Finding - <i>Not Applicable</i>	43
4.15 – Administrative Appeal Process	44
Call-A-Ride Finding - <i>Compliant</i>	44
MetroBus Finding - <i>Not Applicable</i>	44
MetroLink Finding - <i>Not Applicable</i>	44
4.16 – Suspension of Service for Missing Trips (No-Show Policy).....	45
Call-A-Ride Finding - <i>Compliant</i>	45
MetroBus Finding - <i>Not Applicable</i>	45
MetroLink Finding - <i>Not Applicable</i>	45
4.17 – Paratransit Services for Visitors	46
Call-A-Ride Finding - <i>Compliant</i>	46
MetroBus Finding - <i>Not Applicable</i>	46
MetroLink Finding - <i>Not Applicable</i>	46
4.18 – Service Area and Origin-to-Destination Requirements (Bus)	47
Call-A-Ride Finding - <i>Compliant</i>	47
MetroBus Finding - <i>Not Applicable</i>	47
MetroLink Finding - <i>Not Applicable</i>	47
4.19 – Service Area Requirement (Rail)	48
Call-A-Ride Finding - <i>Compliant</i>	48
MetroBus Finding - <i>Not Applicable</i>	48
MetroLink Finding - <i>Not Applicable</i>	48
4.20 – Response Time	49
Call-A-Ride Finding - <i>Deficient</i>	49
MetroBus Finding - <i>Not Applicable</i>	49
MetroLink Finding - <i>Not Applicable</i>	49
4.21 – Reservation Service Availability	50

Call-A-Ride Finding - <i>Deficient</i>	50
MetroBus Finding - <i>Not Applicable</i>	50
MetroLink Finding - <i>Not Applicable</i>	50
4.22 – Negotiating Pickup Times	51
Call-A-Ride Finding - <i>Deficient</i>	51
MetroBus Finding - <i>Not Applicable</i>	51
MetroLink Finding - <i>Not Applicable</i>	51
4.23 – Advanced Reservations	52
Call-A-Ride Finding - <i>Compliant with Recommendations</i>	52
MetroBus Finding - <i>Not Applicable</i>	52
MetroLink Finding - <i>Not Applicable</i>	52
4.24 – Fares	53
Call-A-Ride Finding - <i>Compliant</i>	53
MetroBus Finding - <i>Not Applicable</i>	53
MetroLink Finding - <i>Not Applicable</i>	53
4.25 – Trip Purpose Restrictions.....	54
Call-A-Ride Finding - <i>Compliant</i>	54
MetroBus Finding - <i>Not Applicable</i>	54
MetroLink Finding - <i>Not Applicable</i>	54
4.26 – Hours and Days of Service	55
Call-A-Ride Finding - <i>Compliant</i>	55
MetroBus Finding - <i>Not Applicable</i>	55
MetroLink Finding - <i>Not Applicable</i>	55
4.27 – Capacity Constraints.....	56
Call-A-Ride Finding - <i>Deficient</i>	56
MetroBus Finding - <i>Not Applicable</i>	56
MetroLink Finding - <i>Not Applicable</i>	56
4.28 – Waiting Lists for Standard Service	57
Call-A-Ride Finding - <i>Compliant</i>	57
MetroBus Finding - <i>Not Applicable</i>	57
MetroLink Finding - <i>Not Applicable</i>	57
4.29 – Limiting Availability of Service.....	58
Call-A-Ride Finding - <i>Compliant with Recommendations</i>	58
MetroBus Finding - <i>Not Applicable</i>	58
MetroLink Finding - <i>Not Applicable</i>	58

4.30 – Trip Denials and Missed Trips	59
Call-A-Ride Finding - <i>Deficient</i>	59
MetroBus Finding - <i>Not Applicable</i>	59
MetroLink Finding - <i>Not Applicable</i>	59
4.31 – Excessive Trip Lengths	60
Call-A-Ride Finding - <i>Compliant</i>	60
MetroBus Finding - <i>Not Applicable</i>	60
MetroLink Finding - <i>Not Applicable</i>	60
4.32 – Subscription Service	61
Call-A-Ride Finding - <i>Compliant</i>	61
MetroBus Finding - <i>Not Applicable</i>	61
MetroLink Finding - <i>Not Applicable</i>	61
Section 5 – Subpart G—Provision of Service	62
5.1 – Maintenance of Accessible Features	62
Call-A-Ride Finding - <i>Compliant</i>	62
MetroBus Finding - <i>Compliant</i>	62
MetroLink Finding - <i>Compliant with Recommendations</i>	62
5.2 – Prompt Repair of Accessibility Features	63
Call-A-Ride Finding - <i>Compliant</i>	63
MetroBus Finding - <i>Compliant</i>	63
MetroLink Finding - <i>Compliant</i>	63
5.3 – Keeping Vehicle Lifts/Ramps in Operative Condition	64
Call-A-Ride Finding - <i>Compliant</i>	64
MetroBus Finding - <i>Compliant</i>	64
MetroLink Finding - <i>Compliant</i>	64
5.4 – Immediate Reporting of Lift/Ramp Failure	65
Call-A-Ride Finding - <i>Compliant</i>	65
MetroBus Finding - <i>Compliant</i>	65
MetroLink Finding - <i>Compliant</i>	65
5.5 – Removing Vehicles with Inoperative Lifts/Ramps from Service	66
Call-A-Ride Finding - <i>Compliant</i>	66
MetroBus Finding - <i>Compliant</i>	66
MetroLink Finding - <i>Compliant</i>	66
5.6 – Alternative Transportation	67
Call-A-Ride Finding - <i>Not Applicable</i>	67

MetroBus Finding - <i>Compliant</i>	67
MetroLink Finding - <i>Not Applicable</i>	67
5.7 – Transporting Individuals with Disabilities using Wheelchairs	68
Call-A-Ride Finding - <i>Compliant</i>	68
MetroBus Finding - <i>Compliant</i>	68
MetroLink Finding - <i>Compliant</i>	68
5.8 – Transporting Larger/Heavier Wheelchairs	69
Call-A-Ride Finding - <i>Compliant</i>	69
MetroBus Finding - <i>Compliant</i>	69
MetroLink Finding - <i>Compliant</i>	69
5.9 – Using Wheelchair Securement Systems	70
Call-A-Ride Finding - <i>Compliant</i>	70
MetroBus Finding - <i>Compliant</i>	70
MetroLink Finding - <i>Not Applicable</i>	70
5.10 – Providing Wheelchair Securement Assistance	71
Call-A-Ride Finding - <i>Compliant</i>	71
MetroBus Finding - <i>Compliant</i>	71
MetroLink Finding - <i>Not Applicable</i>	71
5.11 – Using the Lift/Ramp	72
Call-A-Ride Finding - <i>Compliant</i>	72
MetroBus Finding - <i>Compliant</i>	72
MetroLink Finding - <i>Not Applicable</i>	72
5.12 – Announcing Stops.....	73
Call-A-Ride Finding - <i>Not Applicable</i>	73
MetroBus Finding - <i>Compliant with Recommendations</i>	73
MetroLink Finding - <i>Compliant with Recommendations</i>	73
5.13 – Stop Announcements Upon Request	74
Call-A-Ride Finding - <i>Not Applicable</i>	74
MetroBus Finding - <i>Compliant</i>	74
MetroLink Finding - <i>Not Applicable</i>	74
5.14 – Route Announcements	75
Call-A-Ride Finding - <i>Not Applicable</i>	75
MetroBus Finding - <i>Compliant with Recommendations</i>	75
MetroLink Finding - <i>Compliant with Recommendations</i>	75
5.15 – Service Animals	76

Call-A-Ride Finding - <i>Compliant</i>	76
MetroBus Finding - <i>Compliant</i>	76
MetroLink Finding - <i>Compliant</i>	76
5.16 – Using Accessibility-related Equipment	77
Call-A-Ride Finding - <i>Compliant</i>	77
MetroBus Finding - <i>Compliant</i>	77
MetroLink Finding - <i>Not Applicable</i>	77
5.17 – Adequately Communicating Transportation Service Information	78
Call-A-Ride Finding - <i>Compliant</i>	78
MetroBus Finding - <i>Compliant</i>	78
MetroLink Finding - <i>Compliant</i>	78
5.18 – Allowing Passengers to Disembark using Lift/Ramp.....	79
Call-A-Ride Finding - <i>Compliant</i>	79
MetroBus Finding - <i>Compliant</i>	79
MetroLink Finding - <i>Not Applicable</i>	79
5.19 – Traveling with Medical Devices (Respirator, etc.)	80
Call-A-Ride Finding - <i>Compliant</i>	80
MetroBus Finding - <i>Compliant</i>	80
MetroLink Finding - <i>Compliant</i>	80
5.20 – Providing Adequate time to Board/Disembark	81
Call-A-Ride Finding - <i>Compliant</i>	81
MetroBus Finding - <i>Compliant</i>	81
MetroLink Finding - <i>Compliant with Recommendations</i>	81
5.21 – Requesting Seating for Individuals with Disabilities	82
Call-A-Ride Finding - <i>Not Applicable</i>	82
MetroBus Finding - <i>Compliant</i>	82
MetroLink Finding - <i>Compliant</i>	82
5.22 – Attempting to Clear Priority Seating / Wheelchair Securement Area ...	83
Call-A-Ride Finding - <i>Not Applicable</i>	83
MetroBus Finding - <i>Compliant</i>	83
MetroLink Finding - <i>Compliant</i>	83
5.23 – Priority Seating Signage	84
Call-A-Ride Finding - <i>Not Applicable</i>	84
MetroBus Finding - <i>Compliant</i>	84
MetroLink Finding - <i>Compliant</i>	84

5.24 – Request for Reasonable Modification Process	85
Call-A-Ride Finding - <i>Compliant</i>	85
MetroBus Finding - <i>Compliant</i>	85
MetroLink Finding - <i>Compliant</i>	85
5.25 –Reasonable Modification Implementation.....	86
Call-A-Ride Finding - <i>Compliant</i>	86
MetroBus Finding - <i>Compliant</i>	86
MetroLink Finding - <i>Compliant</i>	86
5.26 – Reasonable Modification Procedures	87
Call-A-Ride Finding - <i>Compliant</i>	87
MetroBus Finding - <i>Compliant</i>	87
MetroLink Finding - <i>Compliant</i>	87
5.27 – Reasonable Modification Determinations.....	88
Call-A-Ride Finding - <i>Compliant</i>	88
MetroBus Finding - <i>Compliant</i>	88
MetroLink Finding - <i>Compliant</i>	88
5.28 – Denying Requests for a Reasonable Modification	89
Call-A-Ride Finding - <i>Compliant</i>	89
MetroBus Finding - <i>Compliant</i>	89
MetroLink Finding - <i>Compliant</i>	89
5.29 – Ensuring Service Delivery Following a Denied Reasonable Modification Request	90
Call-A-Ride Finding - <i>Compliant</i>	90
MetroBus Finding - <i>Compliant</i>	90
MetroLink Finding - <i>Compliant</i>	90
5.30 – Training Requirements	91
Call-A-Ride Finding - <i>Compliant with Recommendations</i>	91
MetroBus Finding - <i>Compliant with Recommendations</i>	91
MetroLink Finding - <i>Compliant with Recommendations</i>	92

Section 1 – Nondiscrimination

§ 37.5 Nondiscrimination.

The ADA’s nondiscrimination requires that transit agencies identify and remove barriers to the use of public transit services by individuals with disabilities.

1.1 – Prohibiting Discrimination

No entity shall discriminate against an individual with a disability in connection with the provision of transportation service. (37.5(a)).

Call-A-Ride Finding - *Deficient*

Description of Findings and Recommendations

Two (2) deficiencies were identified by a recent FTA Triennial Review and supported during the completion of this ADA Compliance Review of Metro Transit’s Call-A-Ride program. They are:

1. A pattern or practice of limited availability of ADA Paratransit “Next Day” trips), and
2. A pattern or practice of denied ADA Paratransit trips.

An area of concern was also identified:

1. Rude/Disrespectful Behavior by Van Operators – While complaints data is not available, upon completion of Call-A-Ride complaints descriptions, there is overwhelming evidence that an unusually large number of complaints regarding rude/disrespectful treatment of passengers with disabilities by Van Operators appears to exist. The ADA requires that Operators, “...properly assist and treat individuals with disabilities who use the service in a respectful and courteous way...(37.173 Training).

Recommendations include:

1. Expanded and ongoing Operator sensitivity training, including inviting passengers with disabilities to share their experiences of living with a disability (this is a best practice recommendation by the FTA in the 2015 FTA ADA Circular).
2. Development of a formal Operator Oversight Policy that includes:
 - a. Creating standards/goals for the number of observations made per year for each Operator.
 - b. Enhancement of observation forms used to include wheelchair securement practices.
 - c. Quarterly review of TSM’s by management to ensure that Operator oversight standards are met. In addition, should TSM management identify substandard performance of TSM’s in their oversight of Operators, the policy should include detailed retraining/refresher training efforts and comprehensive assessment.

3. Enhance the “Wellness Check” observation form to include more technical aspects of providing assistance to passengers with disabilities, including wheelchair securement proficiency, use of lifts/ramps, boarding/alighting assistance effectiveness, courteous and respectful treatment of passengers, etc.
4. Create processes for reporting ADA-related observations of Van Operators. This is specific to Call-A-Ride management having the ability to generate data reports that identify the ways that Operators are, and are not, meeting performance and customer service standards. Currently, CAR’s oversight efforts, and the oversight forms used, are hard copy forms and do not lead to data reporting. *Note: This determination has been developed by completing a qualitative review of the Call-A-Ride program due to the structure of ADA complaints in the COM system. The review of ADA complaints was exclusively reliant on text box content, not data generated from complaints reports. There was no ADA complaints data (organized by categories/subcategories, etc.) provided during this review.*

MetroBus Finding – *Compliant with Recommendations*

Description of Findings and Recommendations

ADA Guru did not identify any patterns or practices of ADA deficiencies in its review of MetroBus services. There are, however, several recommendations to help ensure that passengers with disabilities do not experience barriers or are discouraged from using MetroBus services. They are identified as “Compliance / Area of Concern” in this document. Examples include ensuring that Bus Operators offer wheelchair securement to all passengers boarding using wheelchairs, scooters, etc., and ensuring that buses are positioned close enough to the curb for safe boarding and disembarking of MetroBus vehicles.

MetroLink Finding - *Compliant with Recommendations*

Description of Findings and Recommendations

As a whole, the MetroLink program appears to meet ADA requirements for the delivery of rail services to individuals with disabilities. Areas of concern, however, include:

1. The inconsistent functioning of station elevators – Public input and reports from Metro Transit staff have identified this issue as one that may negatively impact the use of MetroLink services by individuals with disabilities.
2. The inconsistent practice of Train Operator announcements – Public input and ADA Guru’s service observations identified occasions where Train Operators failed to make required announcements. It is not ADA Guru’s opinion, however, that this meets the standard of a pattern or practice that violates the ADA.

3. Low volume announcements / broken speaker systems – Public input, reports from Metro Transit staff, and ADA Guru’s service observations have identified several train cars as having speaker systems that were either broken or very difficult to hear. Many passenger populations, including passengers with visual impairments, rely on announcements to safely use MetroLink services. It is not ADA Guru’s opinion, however, that this meets the standard of a pattern or practice that violates ADA requirements.
4. Lack of ADA ISA (or similar) decals on the platform identifying where passengers with disabilities (especially those using wheelchairs) shall wait in order to board the first rail car – Given MetroLink’s single car practice, it is recommended that decals be placed at a boarding location for the first rail car in order to ensure that passengers with disabilities using wheelchairs, etc., can easily and safely board.
5. Age and/or level of maintenance of many MetroLink stations – Public input and ADA Guru’s service observations have identified concerns over the age and/or quality of maintenance of MetroLink stations. The 8th/Pine station, for example, contained wet steps leading down to the platform (westbound). The steps were wet the entire week, although it had not rained that week. This may be a “barrier” (concerns for safety) to the use of MetroLink services by passengers with disabilities when/if the station experiences elevator outages.

While ADA Guru is not, at this time, prepared to identify these concerns as ADA deficiencies, it is recommended that Metro Transit review these elements to ensure that they do not become barriers to the use of MetroLink services for passengers with disabilities.

1.2 – Denying Use of Services

Notwithstanding the provision of any special transportation service to individuals with disabilities, an entity shall not, on the basis of disability, deny to any individual with a disability the opportunity to use the entity's transportation service for the general public, if the individual is capable of using that service. (37.5(b))

Call-A-Ride Finding - *Deficient*

Description of Findings and Recommendations

Two (2) deficiencies were identified by a recent FTA Triennial Review and supported during the completion of this ADA Compliance Review of Metro Transit's Call-A-Ride (CAR) program. They are:

1. A pattern or practice of limited availability of ADA Paratransit "Next Day" trips), and
2. A pattern or practice of denied ADA Paratransit trips.

An area of concern was also identified:

1. Rude/Disrespectful Behavior by Van Operators – While complaints data is not available, upon completion of CAR complaints descriptions, there is overwhelming evidence that an unusually large number of complaints regarding rude and disrespectful treatment of passengers with disabilities by Van Operators appears to exist. The ADA requires that Operators, "...properly assist and treat individuals with disabilities who use the service in a respectful and courteous way...(37.173 Training).

Recommendations for the above "area of concern" are detailed in Section 1.1.

MetroBus Finding - *Compliant with Recommendations*

Description of Findings and Recommendations

ADA Guru did not identify any patterns or practices of ADA deficiencies in its review of MetroBus services. There are, however, several recommendations to help ensure that passengers with disabilities do not experience barriers or are discouraged from using MetroBus services. They are identified as "Compliance / Area of Concern" in this document. Examples include ensuring that Bus Operators offer wheelchair securement to all passengers boarding using wheelchairs, scooters, etc., and ensuring that buses are positioned close enough to the curb to assist all passengers, especially passengers with disabilities, in safely boarding and alighting MetroBus vehicles.

MetroLink Finding - *Compliant with Recommendations*

Description of Findings and Recommendations

As a whole, the MetroLink program appears to meet ADA requirements for the delivery of rail services to individuals with disabilities. Areas of concern,

however, include (See Section 1.1 (above) for full descriptions of findings and recommendations):

1. Observations of non-functioning station elevators
2. Operator not making station announcements
3. Low volume announcements / broken speaker systems
4. Lack of ADA ISA (or similar) decals on the platform identifying where passengers with disabilities (especially those using wheelchairs) shall wait in order to board the first rail car
5. Age and/or level of maintenance of many MetroLink stations

1.3 – Using Designated Seats

An entity shall not require an individual with a disability to use designated priority seats, if the individual does not choose to use these seats. (37.5(c))

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, no patterns or practices were identified requiring passengers with disabilities to sit in any specific area (excluding passengers with disabilities using wheelchairs, as they are required to be transported in the wheelchair securement area).

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, no patterns or practices were identified requiring passengers with disabilities to sit in any specific area (excluding passengers with disabilities using wheelchairs, as they are required to be transported in the wheelchair securement area).

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, no patterns or practices were identified requiring passengers with disabilities to sit in any specific area.

1.4 – Special Charges

An entity shall not impose special charges, not authorized by this part, on individuals with disabilities, including individuals who use wheelchairs, for providing services required by this part or otherwise necessary to accommodate them. (37.5(d))

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, no patterns or practices were identified that involve “special charges” specific to passengers with disabilities.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, no patterns or practices were identified that involve “special charges” specific to passengers with disabilities.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, no patterns or practices were identified that involve “special charges” specific to passengers with disabilities.

1.5 – Not Requiring Attendants

An entity shall not require that an individual with disabilities be accompanied by an attendant.
(37.5(e))

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, no patterns or practices were identified requiring passengers with disabilities to be accompanied by an attendant.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, no patterns or practices were identified requiring passengers with disabilities to be accompanied by an attendant.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, no patterns or practices were identified requiring passengers with disabilities to be accompanied by an attendant.

1.6 – Denying Service Due to Appearance / Involuntary Behavior

(h) It is not discrimination under this part for an entity to refuse to provide service to an individual with disabilities because that individual engages in violent, seriously disruptive, or illegal conduct, or represents a direct threat to the health or safety of others. However, an entity shall not refuse to provide service to an individual with disabilities solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of the entity or other persons. (37.5(h))

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, no patterns or practices were identified regarding Operators refusing to provide service to passengers with disabilities solely based on their appearance, involuntary behavior, etc.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, no patterns or practices were identified regarding Operators refusing to provide service to passengers with disabilities solely based on their appearance, involuntary behavior, etc.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, no patterns or practices were identified regarding Operators refusing to provide service to passengers with disabilities solely based on their appearance, involuntary behavior, etc.

Section 2 – Designation of Responsible Employee and Adoption of Complaint Procedures

2.1 – Designation of Responsible Employee

§ 37.17 Designation of Responsible Employee

Designation of responsible employee. Each public or private entity subject to this part shall designate at least one person to coordinate its efforts to comply with this part. (37.17(a))

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Metro Transit has identified Amy Parker, ADA Administrator, as the responsible employee for all ADA-related complaints. This information can be found in numerous locations, including at <https://www.metrostlouis.org/non-discrimination-notice/> and in the Metro Guide to Accessibility and Independence at <https://www.metrostlouis.org/accessibility/>.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Metro Transit has identified Amy Parker, ADA Administrator, as the responsible employee for all ADA-related complaints. This information can be found in numerous locations, including at <https://www.metrostlouis.org/non-discrimination-notice/> and in the Metro Guide to Accessibility and Independence at <https://www.metrostlouis.org/accessibility/>.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Metro Transit has identified Amy Parker, ADA Administrator, as the responsible employee for all ADA-related complaints. This information can be found in numerous locations, including at <https://www.metrostlouis.org/non-discrimination-notice/> and in the Metro Guide to Accessibility and Independence at <https://www.metrostlouis.org/accessibility/>.

2.2 – Designation of Responsible Employee

(b) *Adoption of complaint procedures.* An entity shall adopt procedures that incorporate appropriate due process standards and provide for the prompt and equitable resolution of complaints alleging any action prohibited by this part and 49 CFR parts 27, 38 and 39.

The procedures shall meet the following requirements:

- (1) The process for filing a complaint, including the name, address, telephone number, and email address of the employee designated under paragraph (a) of this section, must be sufficiently advertised to the public, such as on the entity's Web site;
- (2) The procedures must be accessible to and usable by individuals with disabilities;
- (3) The entity must promptly communicate its response to the complaint allegations, including its reasons for the response, to the complainant and must ensure that it has documented its response.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Metro Transit has identified Amy Parker, ADA Administrator, as the responsible employee for all ADA-related complaints. This information can be found in numerous locations, including at <https://www.metrostlouis.org/non-discrimination-notice/> and in the Metro Guide to Accessibility and Independence at <https://www.metrostlouis.org/accessibility/>.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Metro Transit has identified Amy Parker, ADA Administrator, as the responsible employee for all ADA-related complaints. This information can be found in numerous locations, including at <https://www.metrostlouis.org/non-discrimination-notice/> and in the Metro Guide to Accessibility and Independence at <https://www.metrostlouis.org/accessibility/>.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Metro Transit has identified Amy Parker, ADA Administrator, as the responsible employee for all ADA-related complaints. This information can be found in numerous locations, including at <https://www.metrostlouis.org/non-discrimination-notice/> and in the Metro Guide to Accessibility and Independence at <https://www.metrostlouis.org/accessibility/>.

Section 3 – Subpart D – Acquisition of Accessible Vehicles by Public Entities

§ 37.71 Purchase or lease of new non-rail vehicles by public entities operating fixed route systems.

3.1 – Vehicles Accessible to and usable by Individuals with Disabilities

(a) Each public entity operating a fixed route system making a solicitation after August 25, 1990, to purchase or lease a new bus or other new vehicle for use on the system, shall ensure that the vehicle is readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

While a review of Call-A-Ride vehicle configuration was not a part of this project, upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, no patterns or practices were identified regarding vehicles being inaccessible or unusable by passengers with disabilities.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

While a review of MetroBus vehicle configuration was not a part of this project, upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, no patterns or practices were identified regarding vehicles being inaccessible or unusable by passengers with disabilities.

MetroLink Finding - *Compliant with Recommendations*

Description of Findings and Recommendations

While a review of MetroLink rail car configuration was not a part of this project, upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, no patterns or practices were identified regarding rail cars being inaccessible or unusable by passengers with disabilities. There were observations, however, that are areas of concern regarding passengers with disabilities using the MetroLink system. They are (and are also detailed in Section 1.1):

1. The inconsistent practice of Train Operator announcements – Public input and ADA Guru's service observations identified occasions where Train Operators failed to make required announcements. It is not ADA Guru's opinion, however, that this meets the standard of a pattern or practice that violates ADA requirements.

2. Low volume announcements / broken speaker systems – Public input, reports from Metro Transit staff, and ADA Guru’s service observations have identified several train cars as have speaker systems that were either broken or very difficult to hear. Many passenger populations, including passengers with visual impairments, rely on announcements to safely use MetroLink services. It is not ADA Guru’s opinion, however, that this meets the standard of a pattern or practice that violates ADA requirements.
3. Lack of ADA ISA (or similar) decals on the platform identifying where passengers with disabilities (especially those using wheelchairs) shall wait in order to board the first rail car – Given MetroLink’s single car practice, it is recommended that decals be placed at a boarding location for the first rail car in order to ensure that passengers with disabilities using wheelchairs, etc., can easily and safely board.

Section 4 – Subpart F – Paratransit as a Complement to Fixed Route Service

4.1 – Providing Paratransit Services Comparable to Fixed Route Services

(a) Except as provided in paragraph (c) of this section, each public entity operating a fixed route system shall provide paratransit or other special service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed route system.

(b) To be deemed comparable to fixed route service, a complementary paratransit system shall meet the requirements of §§ 37.123–37.133 of this subpart. The requirement to comply with § 37.131 may be modified in accordance with the provisions of this subpart relating to undue financial burden.

Call-A-Ride Finding - *Deficient*

Description of Findings and Recommendations

Two (2) deficiencies were identified by a recent FTA Triennial Review and supported during the completion of this ADA Compliance Review of Metro Transit's Call-A-Ride (CAR) program. They are:

1. A pattern or practice of limited availability of ADA Paratransit “Next Day” trips), and
2. A pattern or practice of denied ADA Paratransit trips.

See Section 1.1 for additional information on Call-A-Ride ADA deficiencies and recommendations.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.2 – ADA Paratransit Eligibility

§ 37.123 ADA paratransit eligibility: Standards.

(a) Public entities required by § 37.121 of this subpart to provide complementary paratransit service shall provide the service to the ADA paratransit eligible individuals described in paragraph (e) of this section.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation (including sample eligibility determinations, the application, professional verification, etc.), service observations, staff interviews (including the eligibility contractor), and receiving public input, no patterns or practices were identified regarding Call-A-Ride's eligibility determination process being a barrier to accessing services.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.3 – Trip-by-Trip Eligibility

(b) If an individual meets the eligibility criteria of this section with respect to some trips but not others, the individual shall be ADA paratransit eligible only for those trips for which he or she meets the criteria.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation (including sample eligibility determinations, the application, professional verification, etc.), service observations, staff interviews (including the eligibility contractor), and receiving public input, no patterns or practices were identified regarding Call-A-Ride's use of trip-by-trip eligibility.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.4 – Permanent or Temporary Eligibility

(c) Individuals may be ADA paratransit eligible on the basis of a permanent or temporary disability.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation (including sample eligibility determinations, the application, professional verification, etc.), service observations, staff interviews (including the eligibility contractor), and receiving public input, there were no observations specific to the inappropriate/unfair consideration of whether an applicant's disability is temporary or permanent.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.5 – Eligible Individuals #1

(e) The following individuals are ADA paratransit eligible:

(1) Any individual with a disability who is unable, as the result of a physical or mental impairment (including a vision impairment), and without the assistance of another individual (except the operator of a wheelchair lift or other boarding assistance device), to board, ride, or disembark from any vehicle on the system which is readily accessible to and usable individuals with disabilities.

(2) Any individual with a disability who needs the assistance of a wheelchair lift or other boarding assistance device and is able, with such assistance, to board, ride and disembark from any vehicle which is readily accessible to and usable by individuals with disabilities if the individual wants to travel on a route on the system during the hours of operation of the system at a time, or within a reasonable period of such time, when such a vehicle is not being used to provide designated public transportation on the route.

(i) An individual is eligible under this paragraph with respect to travel on an otherwise accessible route on which the boarding or disembarking location which the individual would use is one at which boarding or disembarking from the vehicle is precluded as provided in § 37.167(g) of this part.

(ii) An individual using a common wheelchair is eligible under this paragraph if the individual's wheelchair cannot be accommodated on an existing vehicle (e.g., because the vehicle's lift does not meet the standards of part 38 of this title), even if that vehicle is accessible to other individuals with disabilities and their mobility wheelchairs.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation (including sample eligibility determinations, the application, professional verification, etc.), service observations, staff interviews (including the eligibility contractor), and receiving public input, Call-A-Ride appears to fairly and consistently considers the above ADA requirements in its eligibility determinations.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.6 – Eligibility – Rail System Accessibility

(iii) With respect to rail systems, an individual is eligible under this paragraph if the individual could use an accessible rail system, but—

- (A) There is not yet one accessible car per train on the system; or
- (B) Key stations have not yet been made accessible.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation (including sample eligibility determinations, the application, professional verification, etc.), service observations, staff interviews (including the eligibility contractor), and receiving public input, Call-A-Ride appears to fairly and consistently considers the accessibility of MetroLink stations and services in its eligibility determinations.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.7 – Eligible Individuals #2

(3) Any individual with a disability who has a specific impairment-related condition which prevents such individual from traveling to a boarding location or from a disembarking location on such system.

(i) Only a specific impairment-related condition which prevents the individual from traveling to a boarding location or from a disembarking location is a basis for eligibility under this paragraph. A condition which makes traveling to boarding location or from a disembarking location more difficult for a person with a specific impairment-related condition than for an individual who does not have the condition, but does not prevent the travel, is not a basis for eligibility under this paragraph.

(ii) Architectural barriers not under the control of the public entity providing fixed route service and environmental barriers (e.g., distance, terrain, weather) do not, standing alone, form a basis for eligibility under this paragraph. The interaction of such barriers with an individual's specific impairment-related condition may form a basis for eligibility under this paragraph, if the effect is to prevent the individual from traveling to a boarding location or from a disembarking location.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation (including sample eligibility determinations, the application, professional verification, etc.), service observations, staff interviews (including the eligibility contractor), and receiving public input, Call-A-Ride appears to fairly and consistently consider the above ADA requirements in its eligibility determinations.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.8 – Eligible Individuals with Companions / Personal Care Attendants

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

(1) One other individual accompanying the ADA paratransit eligible individual shall be provided service—

(i) If the ADA paratransit eligible individual is traveling with a personal care attendant, the entity shall provide service to one other individual in addition to the attendant who is accompanying the eligible individual;

(ii) A family member or friend is regarded as a person accompanying the eligible individual, and not as a personal care attendant, unless the family member or friend registered is acting in the capacity of a personal care attendant;

(2) Additional individuals accompanying the ADA paratransit eligible individual shall be provided service, provided that space is available for them on the paratransit vehicle carrying the ADA paratransit eligible individual and that transportation of the additional individuals will not result in a denial of service to ADA paratransit eligible individuals;

(3) In order to be considered as “accompanying” the eligible individual for purposes of this paragraph (f), the other individual(s) shall have the same origin and destination as the eligible individual.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation (including sample eligibility determinations, the application, professional verification, etc.), service observations, staff interviews (including the eligibility contractor), and receiving public input, Call-A-Ride appears to fairly and consistently consider the above ADA requirements in its eligibility determinations.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.9 – Establishing a Paratransit Eligibility Determination Process

§ 37.125 ADA paratransit eligibility: Process.

Each public entity required to provide complementary paratransit service by § 37.121 of this part shall establish a process for determining ADA paratransit eligibility.

(a) The process shall strictly limit ADA paratransit eligibility to individuals specified in § 37.123 of this part.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation (including sample eligibility determinations, the application, professional verification, etc.), service observations, staff interviews (including the eligibility contractor), and receiving public input, Call-A-Ride appears to follow a process that strictly limits eligibility to individuals with disabilities as required by the ADA.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.10 – Availability of Accessible Formats

(b) All information about the process, materials necessary to apply for eligibility, and notices and determinations Concerning eligibility shall be made available in accessible formats, upon request.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation (including sample eligibility determinations, the application, professional verification, etc.), service observations, staff interviews (including the eligibility contractor), and receiving public input, Call-A-Ride appears to provide its ADA Paratransit Application in alternative formats by contacting Metro Transit's ADA Coordinator (detailed in the ADA Paratransit Application Information Sheet).

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.11 – Presumptive Eligibility

(c) If, by a date 21 days following the submission of a complete application, the entity has not made a determination of eligibility, the applicant shall be treated as eligible and provided service until and unless the entity denies the application.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation (including sample eligibility determinations, the application, professional verification, etc.), service observations, staff interviews (including the eligibility contractor), and receiving public input, Call-A-Ride appears to consistently meet the 21 day eligibility determination requirements. In addition, a statement is made in the ADA Paratransit Application Information Sheet stating that Presumptive Eligibility will be provided if the 21 day requirement is not met.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.12 – Eligibility Determinations in Writing

(d) The entity's determination Concerning eligibility shall be in writing. If the determination is that the individual is ineligible, the determination shall state the reasons for the finding.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation (including sample eligibility determinations, the application, professional verification, etc.), service observations, staff interviews (including the eligibility contractor), and receiving public input, Call-A-Ride appears to provide, for every applicant, a written letter of determination.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.13 – Content Requirements for Eligibility Determination Documentation

(e) The public entity shall provide documentation to each eligible individual stating that he or she is “ADA Paratransit Eligible.” The documentation shall include the name of the eligible individual, the name of the transit provider, the telephone number of the entity's paratransit coordinator, an expiration date for eligibility, and any conditions or limitations on the individual's eligibility including the use of a personal care attendant.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation (including sample eligibility determinations, the application, professional verification, etc.), Call-A-Ride appears to comply with the ADA requirements for eligibility determination notification letter content.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.14 – Recertification at Reasonable Intervals

(f) The entity may require recertification of the eligibility of ADA paratransit eligible individuals at reasonable intervals.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation (including sample eligibility determinations, the application, professional verification, etc.), Call-A-Ride appears to comply with the ADA requirement for the recertification of paratransit eligible individuals.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.15 – Administrative Appeal Process

(g) The entity shall establish an administrative appeal process through which individuals who are denied eligibility can obtain review of the denial.

(1) The entity may require that an appeal be filed within 60 days of the denial of an individual's application.

(2) The process shall include an opportunity to be heard and to present information and arguments, separation of functions (*i.e.*, a decision by a person not involved with the initial decision to deny eligibility), and written notification of the decision, and the reasons for it.

(3) The entity is not required to provide paratransit service to the individual pending the determination on appeal. However, if the entity has not made a decision within 30 days of the completion of the appeal process, the entity shall provide paratransit service from that time until and unless a decision to deny the appeal is issued.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation (including sample eligibility determinations, the application, professional verification, etc.), Call-A-Ride appears to comply with the ADA requirements for applicants appealing an initial eligibility determination.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.16 – Suspension of Service for Missing Trips (No-Show Policy)

(h) The entity may establish an administrative process to suspend, for a reasonable period of time, the provision of complementary paratransit service to ADA eligible individuals who establish a pattern or practice of missing scheduled trips.

(1) Trips missed by the individual for reasons beyond his or her control (including, but not limited to, trips which are missed due to operator error) shall not be a basis for determining that such a pattern or practice exists.

(2) Before suspending service, the entity shall take the following steps:

(i) Notify the individual in writing that the entity proposes to suspend service, citing with specificity the basis of the proposed suspension and setting forth the proposed sanction.

(ii) Provide the individual an opportunity to be heard and to present information and arguments;

(iii) Provide the individual with written notification of the decision and the reasons for it.

(3) The appeals process of paragraph (g) of this section is available to an individual on whom sanctions have been imposed under this paragraph. The sanction is stayed pending the outcome of the appeal.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation (including sample eligibility determinations, the application, professional verification, website content, etc.), Call-A-Ride appears to comply with the ADA requirements for having a No-Show Policy. The contents of the policy include the required elements, including notification of a No-Show being provided, the ability to appeal a No-Show, details on penalties, etc. The No-Show Policy can be found at <https://www.metrostlouis.org/call-a-ride-no-show-policy/>.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.17 – Paratransit Services for Visitors

§ 37.127 Complementary paratransit service for visitors.

(a) Each public entity required to provide complementary paratransit service under § 37.121 of this part shall make the service available to visitors as provided in this section.

(b) For purposes of this section, a visitor is an individual with disabilities who does not reside in the jurisdiction(s) served by the public entity or other entities with which the public entity provides coordinated complementary paratransit service within a region.

(c) Each public entity shall treat as eligible for its complementary paratransit service all visitors who present documentation that they are ADA paratransit eligible, under the criteria of § 37.125 of this part, in the jurisdiction in which they reside.

(d) With respect to visitors with disabilities who do not present such documentation, the public entity may require the documentation of the individual's place of residence and, if the individual's disability is not apparent, of his or her disability. The entity shall provide paratransit service to individuals with disabilities who qualify as visitors under paragraph (b) of this section.

(e) A public entity shall make the service to a visitor required by this section available for any combination of 21 days during any 365-day period beginning with the visitor's first use of the service during such 365-day period. In no case shall the public entity require a visitor to apply for or receive eligibility certification from the public entity before receiving the service required by this section.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation (including sample eligibility determinations, the application, professional verification, website content, etc.), Call-A-Ride appears to comply with the ADA requirements for allowing visitors to access paratransit services. Information can be found in the “ADA Paratransit for Visitors” section of the Accessibility Guide at <https://www.metrostlouis.org/accessibility-guide/>.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.18 – Service Area and Origin-to-Destination Requirements (Bus)

§ 37.131 Service criteria for complementary paratransit.

The following service criteria apply to complementary paratransit required by § 37.121 of this part.

(a) **Service Area** —

(1) **Bus.**

- (i) The entity shall provide complementary paratransit service to origins and destinations within corridors with a width of three-fourths of a mile on each side of each fixed route. The corridor shall include an area with a three-fourths of a mile radius at the ends of each fixed route.
- (ii) Within the core service area, the entity also shall provide service to small areas not inside any of the corridors, but which are surrounded by corridors.
- (iii) Outside the core service area, the entity may designate corridors with widths from three-fourths of a mile up to one and one half miles on each side of a fixed route, based on local circumstances.
- (iv) For purposes of this paragraph, the core service area is that area in which corridors with a width of three-fourths of a mile on each side of each fixed route merge together such that, with few and small exceptions, all origins and destinations within the area would be served.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, Call-A-Ride appears to meet the service area equivalency requirement with fixed route services, as required by the ADA.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.19 – Service Area Requirement (Rail)

(2) *Rail.*

- (i) For rail systems, the service area shall consist of a circle with a radius of 3/4 of a mile around each station.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, Call-A-Ride appears to meet the service area equivalency requirement with fixed route services, as required by the ADA.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.20 – Response Time

(b) **Response time.** The entity shall schedule and provide paratransit service to any ADA paratransit eligible person at any requested time on a particular day in response to a request for service made the previous day. Reservations may be taken by reservation agents or by mechanical means.

Call-A-Ride Finding - *Deficient*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, a pattern or practice of limited availability of ADA Paratransit “Next Day” trips exists in the Call-A-Ride system. Due to capacity constraints, not all Paratransit eligible individuals are able to schedule a trip the previous day. This was also identified during the recent FTA Triennial Review.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.21 – Reservation Service Availability

(1) The entity shall make reservation service available during at least all normal business hours of the entity's administrative offices, as well as during times, comparable to normal business hours, on a day when the entity's offices are not open before a service day.

Call-A-Ride Finding - *Deficient*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, Call-A-Ride reservations does not appear to be compliant with the ADA requirement for comparability with normal business hours. Per the Metro Transit website, The Main Switchboard is available Monday through Friday, 8:00 am to 5:00 pm. Call-A-Ride Reservations is open 7:30 am to 4:30 pm.

It is recommended that Call-A-Ride Reservations adjust its operating hours to 7:30 am to 5:00 pm in order to comply with this requirement.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.22 – Negotiating Pickup Times

(2) The entity may negotiate pickup times with the individual, but the entity shall not require an ADA paratransit eligible individual to schedule a trip to begin more than one hour before or after the individual's desired departure time.

Call-A-Ride Finding - *Deficient*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, Call-A-Ride reservations does not appear to be compliant with the ADA requirement for negotiating pick-up times, as there does exist a pattern or practice of scheduling Paratransit eligible users more than one hour before or after the individual's desired departure time. This was also a finding of the recent FTA Triennial Review.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.23 – Advanced Reservations

(4) The entity may permit advance reservations to be made up to 14 days in advance of an ADA paratransit eligible individual's desired trips. When an entity proposes to change its reservations system, it shall comply with the public participation requirements equivalent to those of § 37.137 (b) and (c).

Call-A-Ride Finding - Compliant with Recommendations

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, Call-A-Ride reservations appears to be compliant with the ADA requirement for public participation. In particular, the Metro Transit Title VI Program 2021 details a compensative approach to public outreach.

It is recommended that a standardized outreach schedule be developed for all service changes; giving more than enough time for the public to contribute their opinions on the proposed changes and for Metro Transit leadership to consider the public's contributions before making a formal decision. Feedback provided by many members of the public that ADA Guru communicated with during this project stated that they “believe” that important service changes are approved before taking the issue to the public. This makes the disability community feel that they are not respected and an important part of the service planning process..

It is also recommended that any proposed changes to the Public Outreach Plan, including the addition of a standardized outreach schedule, be taken to the public for their input.

MetroBus Finding - Not Applicable

MetroLink Finding - Not Applicable

4.24 – Fares

(c) **Fares.** The fare for a trip charged to an ADA paratransit eligible user of the complementary paratransit service shall not exceed twice the fare that would be charged to an individual paying full fare (*i.e.*, without regard to discounts) for a trip of similar length, at a similar time of day, on the entity's fixed route system.

(2) The fares for individuals accompanying ADA paratransit eligible individuals, who are provided service under § 37.123 (f) of this part, shall be the same as for the ADA paratransit eligible individuals they are accompanying.

(3) A personal care attendant shall not be charged for complementary paratransit service.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, Call-A-Ride meets this ADA requirements, as detailed in the Metro Guide to Accessibility and Independence (Page 21), and can be found at <https://www.metrostlouis.org/wp-content/uploads/2023/06/AD230421-Metro-Guide-to-Accessibility-and-Independence.pdf>.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.25 – Trip Purpose Restrictions

(d) *Trip purpose restrictions.* The entity shall not impose restrictions or priorities based on trip purpose.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, Call-A-Ride appears to meet this requirement, as detailed in the Metro Guide to Accessibility and Independence (Page 22), and can be found at <https://www.metrostlouis.org/wp-content/uploads/2023/06/AD230421-Metro-Guide-to-Accessibility-and-Independence.pdf>.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.26 – Hours and Days of Service

(e) ***Hours and days of service.*** The complementary paratransit service shall be available throughout the same hours and days as the entity's fixed route service.

Call-A-Ride Finding - Compliant

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, Call-A-Ride appears to meet this requirement, as Operators are available as early as 3:30 am and as late as 2:00am, which covers the Metro Bus operating schedules to prove equivalency.

MetroBus Finding - Not Applicable

MetroLink Finding - Not Applicable

4.27 – Capacity Constraints

(f) **Capacity constraints.** The entity shall not limit the availability of complementary paratransit service to ADA paratransit eligible individuals by any of the following:

(1) Restrictions on the number of trips an individual will be provided;

Call-A-Ride Finding - *Deficient*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, Call-A-Ride reservations does not appear to be compliant with the ADA requirement for capacity constraints, as there does exist a pattern or practice of restricting the number of trips an individual will be provided. This was also a finding of the recent FTA Triennial Review.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.28 – Wailing Lists for Standard Service

(2) Waiting lists for access to the service; or

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, there were no observations suggesting that Call-A-Ride places Paratransit eligible users on a waiting list.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.29 – Limiting Availability of Service

(3) Any operational pattern or practice that significantly limits the availability of service to ADA paratransit eligible persons.

(i) Such patterns or practices include, but are not limited to, the following:

(A) Substantial numbers of significantly untimely pickups for initial or return trips;

Call-A-Ride Finding - *Compliant with Recommendations*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, there does not appear to be a pattern or practice of untimely pickups. There is a history, however, of Call-A-Ride failing to achieve its monthly on-time pickup goal of 93%. In recent months Call-A-Ride's on-time performance has steadied.

It is recommended that Call-A-Ride develop strategies for achieving its pickup goal. One suggestion is to change its 30 minute pickup window from 15-15 to 5-25 or 0-30.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.30 – Trip Denials and Missed Trips

(B) Substantial numbers of trip denials or missed trips;

Call-A-Ride Finding - *Deficient*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation and reporting, Call-A-Ride is deficient for capacity constraints, as there does exist a pattern or practice of trip denials or missed trips. This was also a finding of the recent FTA Triennial Review.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.31 – Excessive Trip Lengths

(C) Substantial numbers of trips with excessive trip lengths.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, there were no observations suggesting a pattern or practice of Paratransit users experiencing a substantial number of trips with excessive trip lengths. There was, however, a number of complaints filed by Paratransit users regarding their dissatisfaction with an excessive trip length. The quantity does not, in ADA Guru's opinion, equate to a pattern or practice.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

4.32 – Subscription Service

§ 37.133 Subscription service.

(a) This part does not prohibit the use of subscription service by public entities as part of a complementary paratransit system, subject to the limitations in this section.

(b) Subscription service may not absorb more than fifty percent of the number of trips available at a given time of day, unless there is non-subscription capacity.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, there were no observations suggesting a pattern or practice of Call-A-Ride exceeding more than fifty percent of trips in any operating hour of any day of the week.

MetroBus Finding - *Not Applicable*

MetroLink Finding - *Not Applicable*

Section 5 – Subpart G—Provision of Service

5.1 – Maintenance of Accessible Features

§ 37.161 Maintenance of accessible features: General.

(a) Public and private entities providing transportation services shall maintain in operative condition those features of facilities and vehicles that are required to make the vehicles and facilities readily accessible to and usable by individuals with disabilities. These features include, but are not limited to, lifts and other means of access to vehicles, securement devices, elevators, signage and systems to facilitate communications with persons with impaired vision or hearing.

Call-A-Ride Finding - Compliant

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, there were no observations suggesting a pattern or practice of Call-A-Ride improperly maintaining its vehicle fleet, including accessibility features.

MetroBus Finding - Compliant

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, there were no observations suggesting a pattern or practice of MetroBus improperly maintaining its vehicle fleet, including accessibility features.

MetroLink Finding - Compliant with Recommendations

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, there were no observations suggesting a pattern or practice of MetroLink improperly maintaining its vehicle fleet, including station access.

There were, however, observations made by ADA Guru suggesting that there are areas that MetroLink can monitor to ensure continued usability and access by passengers with disabilities. They include:

1. PA System used to announcement upcoming stops, etc.
2. Digital signage that can provide stop information for the hearing impaired
3. Elevator functioning
4. Adding boarding decal at first car for passengers with disabilities, especially for passengers using wheelchairs

5.2 – Prompt Repair of Accessibility Features

(b) Accessibility features shall be repaired promptly if they are damaged or out of order. When an accessibility feature is out of order, the entity shall take reasonable steps to accommodate individuals with disabilities who would otherwise use the feature.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, there were no observations suggesting a pattern or practice of Call-A-Ride Operators not reporting issues with accessibility features promptly.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, there were no observations suggesting a pattern or practice of MetroBus Operators not reporting issues with accessibility features promptly.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, there were no observations suggesting a pattern or practice of MetroLink Operators not reporting issues with accessibility features promptly.

5.3 – Keeping Vehicle Lifts/Ramps in Operative Condition

§ 37.163 Keeping vehicle lifts in operative condition: Public entities.

(b) The entity shall establish a system of regular and frequent maintenance checks of lifts sufficient to determine if they are operative.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, and staff interviews, ADA Guru identified a compliant practice of Operators completing Pre-trip Inspections of vehicles, including checking all accessibility features.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, and staff interviews, ADA Guru identified a compliant practice of Operators completing Pre-trip Inspections of vehicles, including checking all accessibility features.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, and staff interviews, ADA Guru identified a compliant practice of Operators completing Pre-trip Inspections of vehicles, including checking all accessibility features.

5.4 – Immediate Reporting of Lift/Ramp Failure

(c) The entity shall ensure that vehicle operators report to the entity, by the most immediate means available, any failure of a lift to operate in service.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, and staff interviews, ADA Guru identified a compliant practice of Operators immediately reporting failures of lifts, ramps, and other accessibility features. These reports are entered into the Trouble Log and sent to Maintenance for assistance.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, and staff interviews, ADA Guru identified a compliant practice of Operators immediately reporting failures of lifts, ramps, and other accessibility features. These reports are entered into the Trouble Log and sent to Maintenance for assistance.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, and staff interviews, ADA Guru identified a compliant practice of Operators immediately reporting failures of lifts, ramps, and other accessibility features. These reports are entered into the Trouble Log and sent to Maintenance for assistance.

5.5 – Removing Vehicles with Inoperative Lifts/Ramps from Service

(d) Except as provided in paragraph (e) of this section, when a lift is discovered to be inoperative, the entity shall take the vehicle out of service before the beginning of the vehicle's next service day and ensure that the lift is repaired before the vehicle returns to service.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, and staff interviews, ADA Guru identified a compliant practice of maintenance tracking vehicles with broken accessibility features and repairing them prior to returning to service.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, and staff interviews, ADA Guru identified a compliant practice of maintenance tracking vehicles with broken accessibility features and repairing them prior to returning to service.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, and staff interviews, ADA Guru identified a compliant practice of maintenance tracking vehicles with broken accessibility features and repairing them prior to returning to service.

5.6 – Alternative Transportation

(f) In any case in which a vehicle is operating on a fixed route with an inoperative lift, and the headway to the next accessible vehicle on the route exceeds 30 minutes, the entity shall promptly provide alternative transportation to individuals with disabilities who are unable to use the vehicle because its lift does not work.

Call-A-Ride Finding - *Not Applicable*

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, and staff interviews, ADA Guru did not identify any patterns or practices of maintenance staff tracking vehicles with broken accessibility features and repairing them prior to returning to service.

MetroLink Finding - *Not Applicable*

5.7 – Transporting Individuals with Disabilities using Wheelchairs

§ 37.165 Lift and securement use.

(b) Except as provided in this section, individuals using wheelchairs shall be transported in the entity's vehicles or other conveyances.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, and staff interviews, ADA Guru did not identify any patterns or practices of passengers with disabilities using wheelchairs being transported in Call-A-Ride vehicles.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, and staff interviews, ADA Guru did not identify any patterns or practices of passengers with disabilities using wheelchairs being transported in MetroBus vehicles.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, and staff interviews, ADA Guru did not identify any patterns or practices of passengers with disabilities using wheelchairs being transported in MetroLink vehicles.

5.8 – Transporting Larger/Heavier Wheelchairs

(1) With respect to wheelchair/occupant combinations that are larger or heavier than those to which the design standards for vehicles and equipment of 49 CFR part 38 refer, the entity must carry the wheelchair and occupant if the lift and vehicle can accommodate the wheelchair and occupant. The entity may decline to carry a wheelchair/occupant if the combined weight exceeds that of the lift specifications or if carriage of the wheelchair is demonstrated to be inconsistent with legitimate safety requirements.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, and staff interviews, and receiving public input, ADA Guru identified a compliant practice of attempting to board all passengers with disabilities using wheelchairs in order to determine if the vehicle can accommodate them.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru identified a compliant practice of attempting to board all passengers with disabilities using wheelchairs in order to determine if the vehicle can accommodate them.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru identified a compliant practice of attempting to board all passengers with disabilities using wheelchairs in order to determine if the vehicle can accommodate them.

5.9 – Using Wheelchair Securement Systems

(c)

(1) For vehicles complying with part 38 of this title, the entity shall use the securement system to secure wheelchairs as provided in that Part.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices where Operators refused to use the securement system to secure passengers with disabilities using wheelchairs.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices where Operators refused to use the securement system to secure passengers with disabilities using wheelchairs.

MetroLink Finding - *Not Applicable*

5.10 – Providing Wheelchair Securement Assistance

(f) Where necessary or upon request, the entity's personnel shall assist individuals with disabilities with the use of securement systems, ramps and lifts. If it is necessary for the personnel to leave their seats to provide this assistance, they shall do so.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices where Operators refused to use the securement system to secure passengers with disabilities using wheelchairs.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices where Operators refused to use the securement system to secure passengers with disabilities using wheelchairs.

MetroLink Finding - *Not Applicable*

5.11 – Using the Lift/Ramp

(g) The entity shall permit individuals with disabilities who do not use wheelchairs, including standees, to use a vehicle's lift or ramp to enter the vehicle.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators refusing to allow the use of lifts or ramps by passengers who do not use wheelchairs.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators refusing to allow the use of lifts or ramps by passengers who do not use wheelchairs.

MetroLink Finding - *Not Applicable*

5.12 – Announcing Stops

§ 37.167 Other service requirements.

(b) On fixed route systems, the entity shall announce stops as follows:

(1) The entity shall announce at least at transfer points with other fixed routes, other major intersections and destination points, and intervals along a route sufficient to permit individuals with visual impairments or other disabilities to be oriented to their location.

Call-A-Ride Finding - *Not Applicable*

MetroBus Finding - *Compliant with Recommendations*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of MetroBus failing to announce stops.

During service observations, ADA Guru did occasionally observe either a lack of stop announcements or malfunction of the stop announcement system. While there was no pattern or practice of a failure to announce stops, ADA Guru recommends additional monitoring of the stop announcement system and the requirement for Operators, when the system is not working, to make required stop announcements themselves using the PA System.

MetroLink Finding - *Compliant with Recommendations*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of MetroLink failing to announce stops.

During service observations, ADA Guru did occasionally observe a lack of stop announcements by Operators. While there was no pattern or practice of a failure to announce stations, ADA Guru recommends additional monitoring of Operators to ensure their consistent use of making announcements using the PA System.

5.13 – Stop Announcements Upon Request

(2) The entity shall announce any stop on request of an individual with a disability.

Call-A-Ride Finding - *Not Applicable*

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators failing to announce a stop upon request by a passenger with a disability.

MetroLink Finding - *Not Applicable*

5.14 – Route Announcements

(c) Where vehicles or other conveyances for more than one route serve the same stop, the entity shall provide a means by which an individual with a visual impairment or other disability can identify the proper vehicle to enter or be identified to the vehicle operator as a person seeking a ride on a particular route.

Call-A-Ride Finding - *Not Applicable*

MetroBus Finding - *Compliant with Recommendations*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of MetroBus failing to announce stops serving more than one route.

During service observations, ADA Guru did occasionally observe either a lack of stop announcements or malfunction of the stop announcement system. While there was no pattern or practice of a failure to announce stops, ADA Guru recommends additional monitoring of the stop announcement system and the requirement for Operators, when the system is not working, to make required stop announcements themselves using the PA System.

MetroLink Finding - *Compliant with Recommendations*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of MetroLink failing to announce stops with transfer points to bus routes or rail lines.

During service observations, ADA Guru did occasionally observe either a lack of announcements by Operators or announcements that were difficult to hear. While there was no pattern or practice of a failure to announce stops, ADA Guru recommends additional monitoring of Operators to ensure their consistent use of making announcements using the PA System that can be heard clearly.

5.15 – Service Animals

(d) The entity shall permit service animals to accompany individuals with disabilities in vehicles and facilities.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators or other staff failing to allow Service Animals on vehicles or in facilities.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators or other staff failing to allow Service Animals on vehicles or in facilities.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators or other staff failing to allow Service Animals on vehicles or in facilities.

5.16 – Using Accessibility-related Equipment

(e) The entity shall ensure that vehicle operators and other personnel make use of accessibility-related equipment or features required by part 38 of this title.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators failing to use accessibility-related equipment when needed/requested. In addition, ADA Guru observed oversight staff (TSM's) in the completion of "Wellness Checks", which serve as one way Call-A-Ride Operators are observed to ensure that they provide required assistance and use accessibility features as needed/requested. In addition, ADA Guru identified practices in documentation and staff interviews that described an ongoing process of Operator service observations to ensure adherence to policies and the ADA.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators failing to use accessibility-related equipment when needed/requested. In addition, ADA Guru identified practices in documentation and staff interviews that described an ongoing process of Operator service observations to ensure adherence to policies and the ADA.

MetroLink Finding - *Not Applicable*

5.17 – Adequately Communicating Transportation Service Information

(f) The entity shall make available to individuals with disabilities adequate information concerning transportation services. This obligation includes making adequate communications capacity available, through accessible formats and technology, to enable users to obtain information and schedule service.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru found evidence of numerous ways that Call-A-Ride information is made available to the public, including information in accessible formats. This includes a comprehensive website and the Metro Guide to Accessibility and Independence, which can be found at <https://www.metrostlouis.org/wp-content/uploads/2023/06/AD230421-Metro-Guide-to-Accessibility-and-Independence.pdf>. In addition, there are several statements informing the public that information is available in alternative formats.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru found evidence of numerous ways that MetroBus information is made available to the public, including information in accessible formats. This includes a comprehensive website and the Metro Guide to Accessibility and Independence, which can be found at <https://www.metrostlouis.org/wp-content/uploads/2023/06/AD230421-Metro-Guide-to-Accessibility-and-Independence.pdf>. In addition, there are several statements informing the public that information is available in alternative formats.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru found evidence of numerous ways that MetroLink information is made available to the public, including information in accessible formats. This includes a comprehensive website and the Metro Guide to Accessibility and Independence, which can be found at <https://www.metrostlouis.org/wp-content/uploads/2023/06/AD230421-Metro-Guide-to-Accessibility-and-Independence.pdf>. In addition, there are several statements informing the public that information is available in alternative formats.

5.18 – Allowing Passengers to Disembark using Lift/Ramp

(g) The entity shall not refuse to permit a passenger who uses a lift to disembark from a vehicle at any designated stop, unless the lift cannot be deployed, the lift will be damaged if it is deployed, or temporary conditions at the stop, not under the control of the entity, preclude the safe use of the stop by all passengers.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators refusing to allow passengers on or off any vehicles by way of the lift or ramp.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators refusing to allow passengers on or off any vehicles by way of the lift or ramp.

MetroLink Finding - *Not Applicable*

5.19 – Traveling with Medical Devices (Respirator, etc.)

(h) The entity shall not prohibit an individual with a disability from traveling with a respirator or portable oxygen supply, consistent with applicable Department of Transportation rules on the transportation of hazardous materials (49 CFR subtitle B, chapter 1, subchapter C).

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators refusing to allow passengers on vehicles or into facilities using a respirator, portable oxygen, etc.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators refusing to allow passengers on vehicles or into facilities using a respirator, portable oxygen, etc.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators refusing to allow passengers onto vehicles or into facilities using a respirator, portable oxygen, etc.

5.20 – Providing Adequate time to Board/Disembark

(i) The entity shall ensure that adequate time is provided to allow individuals with disabilities to complete boarding or disembarking from the vehicle.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators refusing to allow adequate time for a passenger with a disability to board or disembark from a vehicle.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators refusing to allow adequate time for a passenger with a disability to board or disembark from a vehicle.

MetroLink Finding - *Compliant with Recommendations*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators refusing to allow adequate time for a passenger with a disability to board or disembark from a vehicle.

During MetroLink service observations, there was an incident where a passenger was requesting additional time to board the rail car. This passenger ran towards the Operator window and knocked to get their attention. ADA Guru could not determine if this was a person with a disability, however they did not appear to have a visible disability.

In speaking with a MetroLink supervisor, they stated that Operators are trained to watch the platform for those requesting additional time or assistance; especially passengers with visible disabilities such as a person using a wheelchair. In the incident described, the Operator did not appear to be monitoring the platform, as they did not respond to the passenger in any way and proceeded in service. The passenger was unable to board the vehicle.

It is recommended that an Operations Notice be distributed detailing MetroLink's policy on monitoring station platforms in order to ensure the safe boarding and disembarking of all passengers, including passengers with disabilities.

5.21 – Requesting Seating for Individuals with Disabilities

(j)

(1) When an individual with a disability enters a vehicle, and because of a disability, the individual needs to sit in a seat or occupy a wheelchair securement location, the entity shall ask the following persons to move in order to allow the individual with a disability to occupy the seat or securement location:

(i) Individuals, except other individuals with a disability or elderly persons, sitting in a location designated as priority seating for elderly and handicapped persons (or other seat as necessary);

(ii) Individuals sitting in or a fold-down or other movable seat in a wheelchair securement location.

Call-A-Ride Finding - *Not Applicable*

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators failing to attempt to clear the disabled seating area and/or wheelchair securement area.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators failing to attempt to clear the disabled seating area and/or wheelchair area.

5.22 – Attempting to Clear Priority Seating / Wheelchair Securement Area

(3) The entity is not required to enforce the request that other passengers move from priority seating areas or wheelchair securement locations.

Call-A-Ride Finding - *Not Applicable*

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators failing to request other passengers to move from the priority seating areas or wheelchair securement locations.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Operators failing to request other passengers to move from the priority seating areas or wheelchair locations.

5.23 – Priority Seating Signage

(4) In all signage designating priority seating areas for elderly persons and persons with disabilities, or designating wheelchair securement areas, the entity shall include language informing persons sitting in these locations that they should comply with requests by transit provider personnel to vacate their seats to make room for an individual with a disability. This requirement applies to all fixed route vehicles when they are acquired by the entity or to new or replacement signage in the entity's existing fixed route vehicles.

Call-A-Ride Finding - *Not Applicable*

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, and staff interviews, ADA Guru did not identify any patterns or practices of a failure to post priority seating signage.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, and staff interviews, ADA Guru did not identify any patterns or practices of a failure to post priority seating signage.

5.24 – Request for Reasonable Modification Process

§ 37.169 Process to be used by public entities providing designated public transportation service in considering requests for reasonable modification.

(a)

(1) A public entity providing designated public transportation, in meeting the reasonable modification requirement of § 37.5(i)(3) with respect to its fixed route, demand responsive, and complementary paratransit services, shall respond to requests for reasonable modification to policies and practices consistent with this section.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of Call-A-Ride failing to respond to requests for reasonable modification of policies or practices.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of MetroBus failing to respond to requests for reasonable modification of policies or practices.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, service observations, staff interviews, and receiving public input, ADA Guru did not identify any patterns or practices of MetroLink failing to respond to requests for reasonable modification of policies or practices.

5.25 –Reasonable Modification Implementation

(2) The public entity shall make information about how to contact the public entity to make requests for reasonable modifications readily available to the public through the same means it uses to inform the public about its policies and practices.

(3) This process shall be in operation no later than July 13, 2015.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation and a review of the Metro Transit website, information on making a request for a reasonable modification is readily available to the public and was made available before July 13, 2015.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation and a review of the Metro Transit website, information on making a request for a reasonable modification is readily available to the public and was made available before July 13, 2015.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation and a review of the Metro Transit website, information on making a request for a reasonable modification is readily available to the public and was made available before July 13, 2015.

5.26 – Reasonable Modification Procedures

(b) The process shall provide a means, accessible to and usable by individuals with disabilities, to request a modification in the entity's policies and practices applicable to its transportation services.

(1) Individuals requesting modifications shall describe what they need in order to use the service.

(2) Individuals requesting modifications are not required to use the term “reasonable modification” when making a request.

(3) Whenever feasible, requests for modifications shall be made and determined in advance, before the transportation provider is expected to provide the modified service, for example, during the paratransit eligibility process, through customer service inquiries, or through the entity's complaint process.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation and a review of the Metro Transit website, the process for making a request for a reasonable modification meets the ADA requirements of allowing the customer to describe their need and not being required to use the term “reasonable modification”.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation and a review of the Metro Transit website, the process for making a request for a reasonable modification meets the ADA requirements of allowing the customer to describe their need and not being required to use the term “reasonable modification”.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation and a review of the Metro Transit website, the process for making a request for a reasonable modification meets the ADA requirements of allowing the customer to describe their need and not being required to use the term “reasonable modification”.

5.27 – Reasonable Modification Determinations

(4) 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 or fixed route trip of which the individual with a disability was unaware until arriving), operating personnel of the entity shall make a determination of whether the modification should be provided at the time of the request. Operating personnel may consult with the entity's management before making a determination to grant or deny the request.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation and staff interviews, Operators are empowered to make passenger assistance decisions at the time of the request and are encouraged, if needed, to contact dispatch for guidance.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation and staff interviews, Operators are empowered to make passenger assistance decisions at the time of the request and are encouraged, if needed, to contact dispatch for guidance.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation and staff interviews, Operators are empowered to make passenger assistance decisions at the time of the request and are encouraged, if needed, to contact dispatch for guidance.

5.28 – Denying Requests for a Reasonable Modification

(c) Requests for modification of a public entity's policies and practices may be denied only on one or more of the following grounds:

- (1) Granting the request would fundamentally alter the nature of the entity's services, programs, or activities;
- (2) Granting the request would create a direct threat to the health or safety of others;
- (3) Without the requested modification, the individual with a disability is able to fully use the entity's services, programs, or activities for their intended purpose.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation and staff interviews, Metro Transit's ADA Coordinator carefully considers each request for a modification of policy and appears to comply with the guidance on denying requests.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation and staff interviews, Metro Transit's ADA Coordinator carefully considers each request for a modification of policy and appears to comply with the guidance on denying requests.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation and staff interviews, Metro Transit's ADA Coordinator carefully considers each request for a modification of policy and appears to comply with the guidance on denying requests.

5.29 – Ensuring Service Delivery Following a Denied Reasonable Modification Request

(e) In any case in which a public entity denies a request for a reasonable modification, the entity shall take, to the maximum extent possible, any other actions (that would not result in a direct threat or fundamental alteration) to ensure that the individual with a disability receives the services or benefit provided by the entity.

Call-A-Ride Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, staff interviews, and service observations, ADA Guru did not identify any patterns or practices of Operators denying use of its services to passengers with disabilities.

MetroBus Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, staff interviews, and service observations, ADA Guru did not identify any patterns or practices of Operators denying use of its services to passengers with disabilities.

MetroLink Finding - *Compliant*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, staff interviews, and service observations, ADA Guru did not identify any patterns or practices of Operators denying use of its services to passengers with disabilities.

5.30 – Training Requirements

§ 37.173 Training requirements.

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

Call-A-Ride Finding - *Compliant with Recommendations*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, staff interviews, service observations, and public input, ADA Guru did not identify any patterns or practices of Call-A-Ride failing to “train staff to proficiency, as appropriate to their duties”.

Given the high number of complaints filed by passengers with disabilities regarding Operator conduct/rudeness, there is concern that the Call-A-Ride training program is not effectively communicating the ADA requirement for treating passengers with courtesy and respect at all times.

In addition, during an observation of wheelchair securement on a lift-equipped vehicle, the Operator placed the lap belt over the armrest; something that is discouraged. ADA Guru provided guidance on avoiding placing securement straps and tie-downs over/in/through armrests, wheels, footrests, etc.

It is recommended that the above issues be reinforced during the initial Operator training program and continually reinforced during the Van Operator Refresher Training Program (VORT). It is also recommended that TSM’s pay close attention to these issues during their Operator service observations and provide counseling/retraining immediately, as appropriate/safe.

MetroBus Finding - *Compliant with Recommendations*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, staff interviews, service observations, and public input, ADA Guru did not identify any patterns or practices of MetroBus failing to “train staff to proficiency, as appropriate to their duties”.

During ADA Guru’s service observations, there was inconsistency in how close to the curb buses were positioned when boarding and disembarking passengers. On one bus, the Operator was as much as four feet (estimated) from the curb, requiring passengers to step into the street and then onto the bus. On another bus, the Operator positioned the bus no more than 6 inches from the curb and

automatically lowered the bus when they observed a passenger who could benefit from a safer boarding and/or disembarking position.

It is recommended that the above issues be reinforced during the initial Operator training program and continually reinforced during the Bus Operator Refresher Training Program (BORT). It is also recommended that TSM's pay close attention to these issues during their Operator service observations and provide counseling/retraining immediately, as appropriate/safe.

Examples include ensuring that Bus Operators offer wheelchair securement to all passengers boarding using wheelchairs, scooters, etc., and ensuring that buses are positioned close enough to the curb to assist all passengers, especially passengers with disabilities, in safely boarding and alighting.

MetroLink Finding - *Compliant with Recommendations*

Description of Findings and Recommendations

Upon completion of a review of submitted documentation, staff interviews, service observations, and public input, ADA Guru did not identify any patterns or practices of MetroLink failing to "train staff to proficiency, as appropriate to their duties".

During ADA Guru's service observations, the following issues were identified on a few occasions:

1. The inconsistent practice of Operator announcements – Train Operators failed to make required announcements.
2. Low volume announcements / broken speaker systems – Several rail cars with speaker systems that were either broken or very difficult to hear. Many passenger populations, including passengers with visual impairments, rely on announcements to safely use MetroLink services.

It is recommended that additional training be provided to Operators, as well as the distribution of an Operations Notice, to reinforce the importance of stop announcements for all passengers, including passengers with disabilities. Information should include reminding Operators of the difficulty of hearing announcements in tunnels and other loud areas.