



Framingham ♦ Ashland ♦ Holliston ♦ Natick ♦ Wayland ♦ Hopkinton ♦ Weston ♦ Sherborn ♦ Sudbury

ADA COMPLEMENTARY PARATRANSIT PLAN

SEPTEMBER 2007

ADA Steering Committee

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I. INTRODUCTION

Forward Funding of the MBTA precipitated a new category of cities and towns called "other served communities" into the assessment formula of the authority. There are 110 municipalities that fall into this category. Before this expansion in the 2000 legislative change to Ch. 161A, there were 78 communities that made up the MBTA district. These were divided into two parts: 14 "inner core" communities and 64 "outer core" communities. When the expansion took place the MBTA district became larger (175 communities) and was divided into three parts: 14 "inner core" communities, 51 "outer core" communities, and 110 "other served communities."

The 14 "inner core" communities remained the same.

The "outer core" was changed from 64 to 51.

The 110 "other served communities" include some of the original 78 MBTA district municipalities. They are: Duxbury, Pembroke, Hanover, Rockland, Norwell, Scituate, Marshfield, Millis, Sherborn, Ashland, Wayland, Sudbury, and North Reading

During the implementation process of the amendment to Chapter 161A, legalizing forward funding, and the changing and expanding the MBTA District, several municipalities opted to join a regional transit authority under the Chapter 161B statute. Both Secretary Kevin Sullivan and Secretary James Scanlan allowed some communities to join.

On June 17, 2002, Secretary James H. Scanlan received a legal opinion and analysis of Ch161A and Ch161B from William F. Kennedy (Nutter, McClennen & Fish) regarding the impact of communities seeking to join regional transit authorities on the other communities in the MBTA District. On June 20, 2002, Secretary Scanlan sent letters to appropriate officials of Franklin, Upton, Northbridge, and Wrentham informing them that based on further review of the statutes (161A, 161B); those municipalities were not eligible to become members of an RTA. However, included in the decision by Secretary Scanlan, was a suggestion to the affected communities that they were eligible to contract for paratransit service and receive a 50% offset in the cost of the contracted service from the MBTA.

Several communities, through their elected officials, then expressed an interest in determining what the financial impacts of allowing cities and towns, which belong to the MBTA District and do not receive bus service, to join or form their own RTAs.

Massachusetts Secretary of Transportation Grabauskas was asked to look at the "need and feasibility" of allowing a municipality belonging to the MBTA District (as defined in MGL Chapter 161A) to join or create an RTA (as defined in MGL Chapter 161B). The Secretary and his staff had numerous meetings with many constituencies from the cities and towns which fell into the category of belonging to the MBTA District, had no fixed route bus service, and were not members of an RTA.

The fact that 57% of the population in MetroWest also works there, became the driving force behind a more comprehensive and inclusive public transportation system. The Secretary personally traveled to Councils on Aging throughout the subject area and made it a priority of his tenure as Secretary to address not only the needs of seniors today, but also the anticipated needs as the population ages and citizens are forced out of their vehicles and into dependence on public transportation.

The need for a feeder system for the trains is obvious in the MetroWest area, given that 12% of the population commutes to Boston. The success of the commuter rail has exacerbated other commuter problems that are associated with increased ridership. Primarily, the problem has been parking or the lack of parking. For the cities and towns with a commuter rail station located in the downtown area, the demand for commuter parking has choked the supply of conveniently accessed parking for those doing daily business in downtowns. This has created not only hardship for business people but sometimes safety issues, when commuters park in restricted as well as neighborhood areas.

Although these needs are the most obvious, youths in the area would benefit from an increase in public transportation for "other than school."

Of importance for the Commonwealth and particularly for MetroWest, is the need to connect the systems. Most of the cities and towns requesting to join or create an RTA were doing so because the MBTA had not been able to provide the transportation needed to get citizens out of their cars and moving throughout these communities. The one exception is the provision of commuter rail, which connects with the Boston metropolitan area and its many mass transit options. But only 12% of the area's population is in need of commuting to/from Boston. By empowering the cities and towns to work within MGL Chapter 161B, creating transportation options specific to their needs, the inevitable connection to the MBTA system would result in increased ridership to the MBTA.

Secretary Cogliano, in an effort to work with the I/495 Arc of Innovation and the MetroWest Caucus assigned the EOT Programs Unit to provide information as well as technical assistance in order to facilitate the legislation needed to remedy the effects of the MBTA's forward funding and the inability of MetroWest communities to access the services that they sought. Finally, sections 70, 71, 72 of Chapter 123 of the Acts of 2006, the Economic Stimulus Bill, Sections, authored by Senator Karen Spilka, allowed a community without MBTA fixed route bus service to create or join an RTA.

The Town of Framingham requested and received technical assistance from EOT as to the process for creating and developing an RTA. The Programs Unit retained Attorney Charles Stevenson to provide the communities with the technical assistance needed to move forward with this initiative. The MetroWest Growth Management Committee, a subdivision of MAPC, the MetroWest Chamber of Commerce, and the I/495 Arc of Innovation are spearheading a group, which is called the Regional

Transit Authority Alliance who provide municipalities information regarding the law change. The Alliance has been and continues to make presentations at Selectman's meetings as to the many options available to member communities.

On December 19, 2006, the Framingham Board of Selectmen voted to "create a regional transit authority." On January 21, 2007 the Town of Ashland voted to join Framingham in the creation of the MetroWest Regional Transit Authority (METROWEST). On March 26, 2007 the town of Holliston joined. Natick became a member on April 23, 2007 and Wayland followed on May 8, 2007. The following week, Hopkinton joined. On June 26, 2007 the Town of Weston joined. It is expected that Sudbury, Stow and Sherborn will become members. The City of Marlborough and the Town of Southborough have both expressed interest in joining, as they are both members of the Boston MPO for planning purposes, but currently belong to and receive services from the Worcester Regional Transit Authority.

The short term mission of MetroWest is to take over an existing fixed route system called the Local Intra Framingham Transit (LIFT), as well as the Natick Neighborhood Bus System, amalgamate the two systems into a cohesive system which pulses at the Shopper's World and Natick Mall area near the Natick/Framingham line. Then through a system of demand response and deviated fixed route bring in riders from the surrounding communities of MetroWest to an intermodal transportation center (ITC) located there. This hub would also serve as a major transfer place for riders of the RIDE as well as other providers of ADA complementary paratransit within the area.

The RIDE provides ADA complementary paratransit in the Natick/Framingham area and METROWEST has entered into a contract with the MBTA to continue this service THROUGH June 30, 2009. METROWEST will contract with other providers of ADA complementary paratransit service for fixed routes in (Milford) Hopkinton, Holliston, and Ashland. In addition to the RIDE service, MetroWest would provide $\frac{3}{4}$ mile ADA "corridor" service along the fixed routes, except in Natick and Framingham, allowing the passengers to make connections at the intermodal transportation center.

II. BACKGROUND INFORMATION

A. POPULATION AND DEMOGRAPHICS

B. DESCRIPTION OF FIXED ROUTE SERVICE

The current fixed route service profile for MetroWest Regional Transit Authority includes the six routes formerly operated by LIFT. The fixed route service is operated on a year round basis. There are ten lift-equipped buses. The RTA is comprised of the following municipalities:

- Ashland
- Holliston
- Natick
- Framingham
- Wayland
- Hopkinton
- Weston
- Sherborn
- Sudbury

Scheduled to Join in July 2008

- Marlborough
- Southborough

Generally, the LIFT operates from 6:30 a.m. to 7:30 p.m. Monday through Friday and 9:30 a.m. to 5:30 p.m. on Saturdays. Complementary paratransit service is provided by the MBTA's the 'Ride', and Worcester Regional Transit Authority's demand response providers. This plan is in anticipation of future fixed route services through municipalities not yet served. These future fixed routes will require complementary paratransit service.

C. DESCRIPTION OF PARATRANSIT SERVICE

The paratransit service, known as ADA paratransit, is operated on a year-round schedule and is presently organized by town. Currently, the RIDE provides complementary ADA service to the towns of Framingham and Natick. The ADA paratransit service is convenient public transportation from a client's home and return. The MetroWest Regional Transit Authority plans to provide an origin to destination shared ride-by-appointment service for ADA eligible people of all ages for trips for any purpose, including school, work, shopping, college, doctor's appointments, and even visiting friends. The ADA paratransit vehicles can carry up to 19 passengers and are lift-equipped.

III. ADA PARATRANSIT PLAN DEVELOPMENT (37.137)

A. PUBLIC PARTICIPATION PROCESS

Following are the steps to developing a compliant ADA Paratransit service plan:

- Appoint ADA Committee
Appoint a **10-member** steering committee to participate in writing the ADA program (membership to include representation from the disabled population, advocacy groups, elderly end-users, staff, and contractor). Committee's role is ongoing, participating in the Consumer Advocacy Committee over the next year.
- ADA Committee Participates in the Development of the Plan and Policy.
- The Plan describes ADA program parameters, including: areas qualifying for ADA service, eligibility process, complaint process, appeal process, public participation, consumer advisory group, and continued outreach to ADA areas.
- Identify ADA service Areas (the $\frac{3}{4}$ mile corridor adjacent to fixed routes)
- Identify Addresses within $\frac{3}{4}$ mile of all fixed route service
* $\frac{3}{4}$ Mile ADA Service Area Identified on GIS Mapping, Addresses needed for Database
- 'DRAFT' ADA policy Reviewed by ADA Committee
- Incorporate Comments from ADA Committee into Policy
- Conduct Public Hearings on Draft Plan
- Ensure that meeting places are accessible
- Ensure that meeting notices address ADA formats
- Incorporate comments from Public Hearings into Policy
- Present Revised Draft Policy to Advisory Board for Adoption
- Develop ADA Eligibility Applications
Create ADA 2-part applications (1) for riders requesting eligibility, and (2) approval forms for approving advocate (doctor, counselor, health care person)
- Advertise and hold follow-up public meetings to hand out applications and offer technical assistance at meetings
- Develop brochure in ADA accessible formats
Write and print a brochure describing the ADA program parameters and distribute to all human services agencies and Councils on Aging, etc. Travel to all COA's and other human service agencies with Applications and brochures on the ADA eligibility program

Section 37.121 Requirement for Comparable Complementary Paratransit Service

MetroWest will provide paratransit service that is both comparable and complementary to the fixed route service. By complementary MetroWest means service that acts as a "safety net" for individuals with disabilities that cannot use the

fixed route system. The MetroWest offers Complementary Paratransit service during the same days and hours of service as the fixed route service operates, generally, from 6:30 a.m. to 7:30 p.m., Monday through Friday and 9:30 a.m. to 5:30 p.m., on Saturday. The service will enable those who cannot ride the fixed route to travel to the same locations, in approximately the same time, for no more than twice the rate.

MetroWest has established service standards for on-time performance for its subcontractors:

On-time Performance. Trips are considered on time when the vehicle arrives within 15 minutes (-15/+15) of the time agreed to with the rider. This 30-minute period is the "pickup window." Future contractors will have performance targets in their contracts that at least 90 percent of trips each month be within the pickup window. There is no standard for on-time drop-offs. However, MetroWest does monitor drop-off times for trips that have appointment times.

Trip Denials. MetroWest has a goal of no denials for ADA trips. MetroWest is new to operating the existing service, however, ADA contractors claim there have been no ADA trip denials. Monthly reports will be obtained from each contractor beginning August 1, 2007.

On-board Travel Time. MetroWest has a travel time standard that no passenger be on a vehicle for longer than it takes to ride the comparable fixed route. MetroWest will monitor trip times to ensure that the duration of an ADA trip is no longer than the fixed route trip it mirrors.

Safety. MetroWest will accommodate all mobility devices (including wheelchairs and three-wheel scooters, etc.) up to the limit prescribed by the FTA/ADA standards for weight restrictions of 600 pounds for client and device. However, MetroWest will not exceed the weight restrictions on any of its vehicles as prescribed by the vehicle manufacturer due to safety reasons. In the case of a discrepancy between rules and policies, a decision based on safety to the client and the MetroWest operator will prevail. MetroWest's policy is that all mobility devices have brakes that can be locked when being loaded onto a vehicle. MetroWest also requires all mobility devices to be secured to the vehicle by the operator. A client will never be denied a ride because the brakes do not work. MetroWest will work with the client to ensure the non-working brake issue is resolved for the safety of the client and the operator.

Section 37.123 ADA Paratransit Eligibility Standards

MetroWest will make complementary paratransit service available, at a minimum, to individuals meeting these standards.

Eligibility will be based on a temporary as well as a permanent disability. The individual must meet one of the three eligibility criteria (see below; Category

Eligibility 1,2, & 3) but can do so for a limited amount of time, but will be given an expiration date for eligibility.

A person may be ADA paratransit eligible for some trips but not others. Eligibility does not attach itself permanently with the individual or his or her disability, as such, but in meeting the functional criteria of inability to use the fixed route system established by the ADA. This inability is likely to change with differing circumstances. Eligibility determinations can be established at the initial stages of the "intake" process.

Category 1 Eligibility

This category includes persons with mental or visual impairments who, as a result, cannot "navigate the system." This includes people who cannot board, ride, or disembark from an accessible fixed route vehicle (independently) without the assistance of another individual. An eligible individual who has been successfully mobility trained need not be provided paratransit service.

Category 2 Eligibility

The category applies to persons who could use accessible fixed route transportation, but accessible transportation is not being used at the time, and on the route, that the person would travel. The standard is that a route is accessible when all the buses scheduled on the route are accessible, and the lift can be deployed at all stops.

Category 3 Eligibility

Eligibility in this category concerns people who have a specific impairment-related condition, which prevents them from getting to or from a stop or station. These determinations are made on an individual basis.

Companions

MetroWest provides paratransit service to one person accompanying an eligible individual, with others served on a space available basis. MetroWest does not limit the passenger's choice or type of companion. However, a reservation for the companion is required. Other companions can ride, but cannot displace ADA eligible riders. A personal care attendant (PCA) always rides, even if there is a companion. A reservation is required for the PCA. Initial eligibility process will identify this need.

Through planning and public participation the details of this process include:

- No imposition of unreasonable administrative burdens on applicants.
- No application fees
- Appropriate functional evaluation of client (not a medical evaluation)
- Process clearly identifies ADA clients as such
- Documents concerning eligibility are available in accessible formats (disks, Braille, audio cassette, large print) as requested by the applicant
- Forms and instructions are provided to the applicant, as well as information regarding personal care attendants (PCA)
- Applications will be processed within 21 days, or applicant rides until processed; service will be provided immediately as if the application had been granted eligibility, until otherwise notified that the application has been denied
- Denials will be in writing and include reasons that specifically relate the evidence in the matter to the eligibility criteria and the process.
- Documentation for people granted eligibility will include;
 - Individual's name
 - Individual's address
 - Service provider's telephone number
 - Eligibility expiration
 - Conditions and limitations of eligibility
 - Appeal process;
- Appeal to be determined by someone other than the "intake" person(s).
- If possible, appeals should be made in person
- Appeal decisions will be written within 30 days
- Person can continue using service during the appeal process
- Person has the right of council (attorney, advocacy group representative)
- Person will be provided transportation to and from the hearing

Suspension:

- A suspension of 30 days for the first violation and 60 days for each subsequent violation will take place for the following infractions: Violent, seriously disruptive, illegal behavior (using same standard for any passenger)
- Pattern of missing trips, chronic "no show"
- Negative patterns within control of the individual

Section 37. 127 Complementary Paratransit for Visitors

MetroWest will provide complementary paratransit to qualified visitors from out of town under the same conditions, service criteria, etc., without distinction. For the

period of the visit, the visitor is treated exactly like an eligible local user, without any higher priority given to either.

A visitor is eligible if they have appropriate documentation from their "home" paratransit system. Another method of eligibility is proof of residence somewhere else coupled with documentation of a disability if not readily apparent. Visitor will be served for a minimum of 21 days. Visitors using the service for more than 21 days should apply for regular status.

Section 37.129 Types of Service

The basic mode of service for complementary paratransit is demand responsive, origin-to-destination service. This service may be provided for persons in any one of the three Eligibility Categories but must always be provided to persons in the first category (persons who can not navigate the system.) This service is to be provided as shared ride curb-to-curb service with reasonable accommodation for those who cannot navigate to the curb.

For persons in the second category (persons who can use an accessible bus, but do not have an accessible bus available to take them at their origin or destination) origin to destination can be used.

MetroWest may provide two other forms of service;
On-call bus in which the individual calls the provider and arranges for one or more accessible vehicles to arrive on the routes he needs to use at the appropriate time. It must meet the criteria of Section 37.131 and charge fixed route fares. And/or feeder paratransit to an accessible fixed route.

Section 37. 131 Service Criteria for Complementary Paratransit Service Area

The basic bus system service area is a corridor with a width of $\frac{3}{4}$ of a mile on each side of the fixed route. At the end of the route there is a semi-circular "cap" on the corridor consisting of a $\frac{3}{4}$ mile radius from the endpoint to the parallel sides of the corridor.

MetroWest complementary paratransit provides service to any origin or destination point within a corridor fitting this description around all routes in the bus system. This does not say an eligible user must live within a corridor in order to be eligible. If an individual lives outside the corridor, and can find a way of getting to a pickup point within the corridor, the service must pick that individual up at that point. The same holds true for the destination end of the trip.

Response Time

Reservation service will be made available during administrative office hours regardless of service hours of operation. The reservation service is available on days when the administrative offices are closed but can use technological devices to take reservations. This would comply with "next day scheduling." Reservations may be permitted up to 14 days in advance. MetroWest will not adjust a client's schedule more than one hour of desired travel time.

Fares

The fare is determined by calculation of the corresponding fixed route fare with applicable transfer charges and premium service charges resulting in MetroWest's ability to charge twice the amount calculated for the paratransit trip. The mode through which paratransit is provided does not change the method of calculation.

Companions are charged the same fare as the eligible individual they are accompanying. Personal Care Attendants (PCA) ride for free.

Restrictions and Priorities Based on Trip Purpose

There are no restrictions or priorities based on trip purpose in the comparable complementary paratransit system. When a user reserves a trip, MetroWest will need to know the origin, destination, time of travel, and how many people are traveling.

Hours and Days of Service

If a person can travel to a given destination using fixed route at a given time of day, an ADA paratransit eligible person will be able to travel to that same destination on paratransit at that same time of day.

Capacity Constraints

Waiting lists are never used. Rationing of number of trips is not done. Any operational pattern that creates "missed trips" is not done. Operational problems outside of the control of the MetroWest do not count as part of a pattern.

Section 37.133 Subscription Service

MetroWest will include a subscription service component as part of its overall paratransit service; this component may not absorb more than 50% of available capacity on the total system. The one exception is that when there is an excess of non-subscription capacity available.

Section 37.137 Paratransit Plan Development

ADOPTED By the ADA Paratransit Advisory Committee
September 17, 2007

As required by section 223(c)(8) of the ADA, MetroWest has surveyed existing paratransit services within the service area. Coordination of ADA services is the goal. METROWEST has identified current providers and assured them that service will continue to be provided to the users.

There will be a public hearing and an opportunity to comment. The hearing will be accessible to those with disabilities, and notice of the hearing will be accessible as well. Public participation will be made throughout the process; using an ADA Advisory Committee and providing outreach to COA's and municipalities within the service area. Participation is the key element utilized with the goal being the effective implementation of ADA.

Section 37.139 Plan Contents

Information on current and changing fixed route service.

Inventory of existing paratransit service

Discussion of the discrepancies between existing paratransit and what is required under the ADA regulations.

Discussion of the public participation requirements and how they have been met.

The plan for paratransit service.

The budget for paratransit service

Efforts to coordinate with other transportation providers.

A description of the process in place or to be used to register ADA paratransit eligible individuals.

Description of the documentation provided to each individual verifying eligibility

SUBPART G Provision of Service

Section 37.161 Maintenance of Accessible Features (General)

MetroWest will maintain in operative condition those features or facilities and equipment that make facilities and vehicles accessible to and usable by individuals with disabilities. To the maximum extent feasible, facilities will be accessible to and usable by individuals with disabilities. MetroWest will provide features such as lift equipped vehicles, elevators, communication systems to provide information to people with vision or hearing impairments, etc., and these features will be maintained in a manner that enables individuals with disabilities to use them.

Section 37.165 Lift and Securement Use (Public and Private)

All people using common wheelchairs (an inclusive term for mobility devices that fit on lifts meeting Access Board guideline dimensions- 30<greater than or equal to> by 48<greater than or equal to> and a maximum of 600 pounds for device and user

combined—which includes three-wheeled scooters and other so-called non-traditional mobility devices) are allowed to ride the MetroWest’s vehicles.

MetroWest may require users to ride in designated securement locations. Metro West requires all mobility devices to have working brakes. Brakes must be set while mobility device is on lift and until secured to the vehicle. MetroWest will make a best effort to restrain or confine a wheelchair to the securement area.

The operator may not deny transportation to a common wheelchair and its user because the wheelchair cannot be secured or restrained by the vehicle’s securement system, to the operator’s satisfaction. Operators cannot require transfer to a vehicle seat, but can provide information as to the risks of failure to adequately secure a wheelchair. The decision to transfer is entirely left up to the wheelchair passenger.

MetroWest believes it has an obligation to ensure that the passenger with a disability is able to take advantage of the accessibility and safety features on the vehicles. MetroWest will provide assistance with the use of ramps, lifts, and securement devices. METROWEST will respect the passenger’s preference for access and egress.

Passengers using canes or walkers and other standees with disabilities that do not use wheelchairs but have difficulty with steps will be permitted to use the lift on request.

Section 37.167 Other Service Requirements

Fixed route stops will be announced, including transfer points. (made by a person or recording)

Intersections and destination points will be announced.

Announcements will be made at sufficient intervals to allow for orientation of visually impaired passengers.

Fill-in announcements will be made for long distances.

MetroWest will announce any stop requested by a passenger with a disability.

When more than one route converges at a stop, the operator will provide a means to assist an individual with visual impairments or other disability in determining which the proper vehicle to enter is. (External speakers, colored mitts, numbered cards)

Service animals will always be permitted to accompany their users.

MetroWest will make communications and information available using accessible formats (Braille, large print, TDD, extra phone lines) to obtain route information and system schedules.

Disabled passengers may bring portable medical oxygen aboard.

MetroWest will make appropriate provision to give individuals with disabilities adequate time to board or disembark.

Section 37.173 Training

A well-trained workforce is essential in ensuring that the accessibility-related equipment and accommodations required by the ADA actually result in the delivery of good transportation service to individuals with disabilities. A training plan has been designed to suit the needs of the operation. Training will be to proficiency. Every employee of a transportation provider who is involved with the service to persons with disabilities will be trained so that he or she knows what needs to be done to provide the service in the right way.

Exhibit I - MetroWest Regional Transit Authority
Populations for MetroWest Towns – 2000 Census

Exhibit II - MetroWest Regional Transit Authority
Map of MetroWest Service Area

Exhibit III - MetroWest Regional Transit Authority
Map of MetroWest Fixed Routes