

BAY AREA RURAL TRANSIT (BART)

Americans with Disabilities Act (ADA) Plan

Date Revised: April 3, 2026

Inception Date: April 18, 2016

Adopted By: BART Board of Directors



Plan Updates – Activity Log

Bay Area Rural Transit, *hereinafter referred to as BART* will regularly review its plan to determine if modifications are necessary. The table below documents reviews/revisions made to the plan.

| Date | Activity (Review/Update/Addendum/ Adoption/Distribution) | Person Responsible | Notes |
|-------------------|--|------------------------|--------------------------------|
| April 3, 2026 | Update ADA Plan – add information on rider conduct, rider suspension, appeals, and ADA application information | Pat Daoust | Approved by Board of Directors |
| December 20, 2018 | Add information on No Show Policy and Reasonable Modification Policy | Pat Daoust | Approved by Board of Directors |
| April 18, 2016 | Develop ADA Paratransit Plan | Tom Waby Pat Daoust | Approved by Board of Directors |
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I. OVERVIEW

A. Introduction

DOT regulations and transportation-related provisions of the Americans with Disabilities Act (ADA) of 1990, Section 504 of the Rehabilitation Act of 1973, as amended and 49 CFR Parts 27, 37, 38 and 39 set specific requirements for transit providers to ensure that individuals with disabilities are not excluded from, denied the benefits of, or subject to discrimination.

BART's ADA plan is designed to inform riders about **BART's** transportation services. This document includes policies and procedures, rules and regulations, and guidelines for use of the transportation service, along with answers to many questions about the program.

For information on **BART's** civil rights program, ADA obligations, and the procedures to file a complaint, contact Pat Daoust at 715-682-9664, Ext. 205 or p.daoust@bartbus.com. For people who are deaf, hard-of-hearing, deaf-blind, and speech disabled please use Wisconsin Relay 711 service <https://wisconsinrelay.com>.

Additional Information is available in the Complaint Procedure section.

B. Policy and Objectives

It is **BART's** policy to provide safe and efficient transportation to persons with physical, cognitive, or other disabilities. As such, no person shall, solely by their disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity undertaken by **BART**.

BART meets the specific objectives of ADA requirements by:

- ✓ Operating the service with accessible vehicles.
- ✓ Providing equal transportation access to individuals with disabilities through maintained lifts and equipment, stop announcements, and training.
- ✓ Ensuring that people with disabilities are not denied the opportunity to use general public transportation.
- ✓ Maintaining a trained staff for the operation and control of the service.
- ✓ Providing on-going mechanisms for persons with disabilities to provide input on **BART's** transportation services.

BART provides the following transportation services:

Demand Response Service

The demand response service is a flexible, non-fixed route service that adapts to the specific travel needs of its users and is typically shared among users. To use the service individuals must call dispatch to schedule a ride.

Fixed Route Service

With fixed route service, no action by the individual is needed to initiate public transportation. If an individual is at a bus stop at the time the bus is scheduled to appear, then that individual will be able to access the transportation system.

Complementary Paratransit Service

Per the ADA, public transit agencies that provide fixed route services must provide 'complementary paratransit' service to people with disabilities who cannot use the fixed route service because of a disability. The complementary paratransit service must be within $\frac{3}{4}$ of a mile of a bus route, at the same hours, and for no more than twice the regular fixed route fare. To use the service individuals must make a telephone call or schedule a trip online.

See the ADA Eligibility, Application, and Appeals Process section for information on how to qualify for ADA fares and services.

C. Public Participation and Information

Per the ADA, there needs to be a process for public input and ability to comment regarding any changes in any of transportation services. Also, providers of ADA transportation services must provide for ongoing participation in the operation and assessment of associated services by individuals with disabilities.

BART's Transportation Advisory Committee (TAC) helps to fulfill these requirements. **BART's** TAC represent a broad cross section of individuals, social service provider groups, non-profit organizations, and local, state, and federal agencies within the city and county. The role of the TAC is to promote and facilitate individual, group, and agency involvement in the planning and implementation of effective coordinated public transportation within the county.

TAC member duties include:

- Advocate for transit dependent individuals
- Strengthen public relations and community education for **BART**
- Assist as feasible with resolution to customer service issues
- Provide community insight for the development of service policies
- Assist with fund development for **BART**

II. OPERATIONS AND VEHICLES

A. General – Service Criteria

U.S. Department of Transportation ADA regulations require **BART**, as a provider of demand response and complementary paratransit, to provide riders with disabilities and riders without disabilities, an 'equivalent' level of service with respect to:

- ✓ Response Time
- ✓ Fares
- ✓ Service area
- ✓ Hours and Days of Service
- ✓ Trip purposes
- ✓ Availability of Information and Reservations Capability
- ✓ Capacity constraints

Response Time

The elapsed time between a request for service and the provision of service is the same for riders with and without disabilities.

BART will schedule and provide demand response and paratransit service to any ADA certified individual at any request time on a particular day in response to a request for service made the previous day.

Reservations are taken by **BART** staff. Advance reservations may be made up to 7 days in advance of an individual's desired trip(s). If requests for service are made with less than the next day notice, **BART** staff will attempt to schedule the trip. **BART** also provides subscription service to meet customer needs for advance reservation requests.

Fares

ADA fares can be no more than twice the amount charged for a full fare on the fixed route. Personal Care Attendants (PCA's) can travel with eligible clients for free but must have the same origin/destination. Companions/guests can travel with an eligible client for the same amount charged to the ADA eligible rider. **BART** does not provide PCAs.

See **BART's** website for information on its fare structure at <http://www.bartbus.com/>

Contact **BART's** ADA Coordinator, Todd Mattson at 715-682-9664, Ext. 203 or mobilitymanager@bartbus.com for an ADA fare application.

Service Area and Days and Hours of Service

Individuals with disabilities are able to request trips in the same area or areas as other riders and on the same days and during the same hours as other riders. **BART** offers a demand response, fixed route service, and complementary paratransit service. Fixed route buses will deviate from the fixed route for eligible ADA paratransit riders only.

See **BART's** website for service hours and route information - <http://www.bartbus.com/>

Trip Purpose

Since the fixed route service can be used for any trip purpose, so must the demand response and complementary paratransit service. There also can be no prioritization based on trip purpose; for example, medical trips cannot be given priority over recreational trips. **BART** does not prioritize eligible demand response or paratransit trips based on trip type or trip purpose. Passengers will not be asked to provide information regarding their trip purpose.

Availability of Information, Reservations Capability, and Stop Announcements

Availability of Information

BART provides riders with disabilities the same access to the same information and reservation system as other riders.

Reservations Capability

Contact **BART** staff if you need information in alternate formats that are not currently provided. (e.g. large print, audio, or accessible electronic files for riders with vision disabilities).

Wisconsin Relay Service, 7-1-1 is a free service state of Wisconsin resource that assists with communication needs.

- <http://www.wisconsinrelay.com> provides full telephone accessibility to people who are deaf, hard-of-hearing, deaf-blind and speech disabled.

Stop Announcements

Vehicle operators are mandated to announce transfer locations, major stops on the fixed route bus system routes along the route sufficient to permit individuals with visual impairments or other disabilities to be oriented to their location. **BART** drivers and operators shall announce any stop on request of an individual with a disability.

Capacity Constraint and Monitoring

BART ensures the level of service available to riders with disabilities is the same for riders without disabilities. To ensure service equivalency, **BART** monitors trip denials, missed trips, frequency of being wait-listed, and telephone hold times.

Performance data will be collected and reported in a ***Log of On Time Performance*** (known as a *trip denial log/missed trip log*) for the purpose of establishing whether capacity constraints exist.

B. Vehicle Selection, Maintenance, and Accessibility

Vehicle Selection

- **BART** complies with ADA in terms of providing accessible vehicles and ensuring new stops are accessible.

Maintenance

- All vehicles in the fleet will be properly maintained including the operative condition of all accessibility features available to individuals with disabilities. These features include lifts, ramps, securement devices, signage, and systems to facilitate communication. All accessibility features will be repaired promptly.
- Vehicle ramps/lifts and kneelers are inspected daily. Regular preventative maintenance is performed on the ramp/lift on a scheduled basis. Vehicle operators are instructed to report defects/failures in the ramp/lift immediately to dispatch.
- In the event of an inoperative device or impaired accessibility feature, the vehicle will be removed from the assigned route until all repairs are complete. If the device or accessibility feature occurs or is noticed during the middle of a shift, the vehicle must either be repaired or removed from the route prior to the start of the next service day.

Accessibility

- All routes are accessible for mobility devices and disabled individuals.
- At any time, if an accessibility feature on a vehicle is inoperable **BART** will take reasonable steps to accommodate individuals with disabilities who rely on these features.
- Drivers shall pick up and disembark disabled passengers including mobility devices at all designated bus stops unless the lift or ramp cannot be deployed, the lift will be damaged if deployed, or temporary conditions preclude the safe use of the stop by all passengers.
- In the event of an unsafe disembark location the driver shall temporarily use the next closest corner or safe bus stop to disembark the passenger as to not cause any damage to the lift or to harm the passenger.

III. ADA ELIGIBILITY, APPLICATION, AND APPEALS PROCESS

A. Eligibility Criteria

To apply for an ADA fare individuals must submit an application, and if required provide supporting documentation and participate in an in-person interview and/or in-person assessment. In some instances, **BART** may also contact a health care/professional the rider has identified to provide additional information.

Contact **BART's** ADA Coordinator, Todd Mattson at 715-682-9664, Ext. 203 or mobilitymanager@bartbus.com for an ADA fare application.

Paratransit Service ADA Fare Eligibility

BART's paratransit service is available to individuals who cannot use the fixed-route service due to a disability. Per the ADA, disability alone does not determine paratransit eligibility; the decision is based on the applicant's functional ability to use the fixed route bus and is not determined by the type of disability, use of a mobility aid or based on a medical decision.

A person's eligibility can be decided on a trip-by-trip basis, which is determined by specific conditions in conjunction with the disability (weather, distance, passenger amenities available, etc.). Consequently, a person can be determined to be *unconditionally* eligible, *conditionally* eligible, *temporarily* eligible or ineligible for paratransit services.

Eligibility as defined by the ADA is as follows:

- Persons who have a specific impairment-related condition that prevents them from getting to or from a fixed route stop.
- Persons who cannot use the fixed route service because the route(s) needed for a particular trip is/are not accessible (all **BART** vehicles are lift equipped and therefore all routes are accessible).
- Persons, who, because of a disability, are unable to independently board, ride or disembark from an accessible fixed route vehicle.

Disabilities can be permanent as well as temporary and must be considered accordingly.

BART uses a functional approach to eligibility determination and certification. The **BART** Transit Director reviews each application based on recommendations and determines eligibility.

If a determination cannot be made by **BART** the applicant will be required to have a licensed professional review the application, to determine eligibility based on **BART's** criteria for eligibility. This type of medical professional could include audiologists, chiropractors, registered nurses, medical doctors, mobility specialists, occupational therapists and psychologists.

The professionals may call upon additional medical personnel who have direct knowledge of the applicant. The physical and cognitive abilities assessment forms will be used by **BART** to make eligibility determinations.

B. Application Process

Per the ADA, documentation of eligibility and associated conditions of eligibility if applicable must be provided to persons deemed eligible. An appeals process must also be made available for persons who are determined ineligible or only eligible under certain conditions. A separation of authority must be maintained between the individual making the initial determination and those individuals deciding the appeal.

Applications for ADA eligibility will be processed within **21** calendar days from submission of a completed application. During this time **BART** will review the application, consult with other medical professionals, if needed and make the certification determination. **BART** will notify the applicant in writing of the determination decision. The letter will state that the applicant has been approved for service, the conditions of eligibility (if any) and if a PCA is approved for travel as well.

If the eligibility is determined, **BART** will issue an identification card within **21** working days.

An individual who submits a complete application and is not notified of the eligibility determination decision within **21** days, will be granted provisional eligibility beginning on day 22, until a written decision is rendered to the individual.

There is no expiration date assigned to a person's eligibility (unless they were approved as temporarily eligible). Instead, **BART** staff periodically reviews all applications and confirms the information as current over the phone.

Any individual denied eligibility may appeal this decision provided **BART** receives notice within **60** days of the denial of an individual's application. See section titled *Appeals Process* for more information.

C. ADA Eligibility Appeals Process

Requesting an Appeal

Individuals found not eligible for an ADA fare for the demand response, fixed route, or paratransit service or eligible but with specified conditions, and customers whose service is suspended, may request an internal administrative appeal of those decisions. This document outlines the steps for requesting an appeal and the procedure governing the appeal process.

Requests for appeal should be mailed or emailed to:

Pat Daoust, Transit Manager
Bay Area Rural Transit
P.O. Box 612
2216 6th Street East
Ashland, WI 54806
p.daoust@bartbus.com

Notification of Decision

The individual will be given no more than sixty (**60**) days to appeal the decision. The individual will be given an opportunity to be heard and present information at the scheduled appointment determined by the Bay Area Rural Transit Manager. The Transit Manager has (**30**) days to review the appeal and make a decision.

IV. PASSENGER RESPONSIBILITIES

General Passenger Condition

All passengers must be able to sit in a vehicle seat or wheelchair in order to be transported.

Any passenger whose medical condition is such that the passenger is incoherent or requires immediate medical attention to sustain life may be denied service. Complementary paratransit service is to be considered a “common carrier” and does not perform ambulance or emergency service.

Rules of Conduct

The rules of conduct will assist in the safety and comfort of the riders and operator. Riders who violate rules of conduct are subject to penalties, up to and including suspension of service.

Riders must:

- ✓ Wear a seat belt.
- ✓ Keep their wheelchair or mobility device fastened while the vehicle is in operation.
- ✓ Follow personal hygiene measures that do not result in a public health hazard.
- ✓ No eating, drinking, or smoking on board.
- ✓ No abusive, threatening, or obscene language or actions on board or while requesting the service.
- ✓ No physical abuse of another rider or the vehicle operator.
- ✓ No operating or tampering with any equipment while on board.
- ✓ No weapons are allowed of any kind (*except those allowed by state law*).

If the driver reasonably believes a passenger’s physical condition or conduct is hazardous, or if a passenger possesses weapons, instruments or equipment that are reasonably believed to be dangerous, service may be terminated immediately. See *Rider Conduct Policy* for more information.

The passenger will be notified of their ability to appeal the termination, and **BART** will hear the appeal as soon as reasonably possible.

Requesting Demand Response and Complementary ADA Paratransit Service

Trip Reservation

ADA requires that next day service be provided. Eligible ADA passengers can schedule service by calling **BART** staff at (715)682-9664.

Please provide the following information:

1. Name
2. Phone Number
3. Address
4. Date of Birth
5. Pick-Up Address
6. Destination Address
7. Desired Pick-Up Time
8. Desired Drop-Off Time (Appointment Time)

9. Number of Passengers (including a Personal Care Attendant (PCA) or companion)
10. If Round Trip, Time of Return Trip
11. If a Mobility Device will be used

BART can take reservation requests after hours by mechanical means (voice mail). A voice mail message does not confirm a scheduled ride. Individuals who request a trip using voice mail outside of business hours will be contacted by **BART** staff to confirm the trip.

Riders are encouraged to call in advance to ensure confirmation of their preferred departure time. If requests for service are made with less than the next day notice **BART** staff will schedule the trip at the closest available time.

BART has no limitation on the number of trips per day or trips per person that can be made.

Negotiating a Pickup Time

BART may negotiate pickup times with an individual however **BART** may not require riders to schedule a trip to begin more than **one (1) hour** before or after the individual's desired departure time .

Subscription Service

BART allows subscription service as part of the paratransit service. Subscription service may not absorb more than **fifty percent (50%)** of the number of trips available at a given time of day, unless there is non-subscription capacity.

Reasonable Modifications

If a passenger with a disability requires modification of any **BART's** policies and practices to accommodate their disability to use the service, the passenger may request such a modification.

BART will work with the individual to find an acceptable accommodation solution. **BART** will consider all such requests unless the request would create a direct threat to the health or safety of others, including passengers; the individual making the request is otherwise able to fully use the service without the modification; or making the modification would create an undue financial or administrative burden.

See **BART's Reasonable Modification Policy** attached.

Trip Denials and Missed Trips

BART records *all* trip requests, regardless of whether the trip is denied or missed.

Trip denials and missed trips are generally defined as scheduled trips that do not occur due to some fault of the transit agency. Counting the number of trip denials and missed trips means accounting for all trips the rider is unable to take because of the denial/missed trip. Avoiding denials means properly planning service, allocating resources, and managing operations to meet 100 percent of expected demand.

Examples of Trip Denials:

- A rider requests a next-day trip, and the transit agency says it cannot provide that trip.
- A rider requests a next-day trip, and the transit agency can only offer a trip that is outside of the 1 hour negotiating window. This represents a denial regardless of whether the rider accepts such an offer.

- A rider requests a round-trip and the agency can only provide one leg of the trip. If the rider does not take the offered one-way trip, both portions of the trip are denials.

Examples of Missed Trips:

- **Premature No-Shows:** Vehicle arrived at the pickup location but left before the rider can board because the driver did not wait the established required time (most commonly set at 5 minutes).
- **Late Arrival:** Vehicle arrives after the “pickup window” (e.g., more than 15 minutes late to the scheduled time) and the rider left, or they chose to decline the trip.
- **Non-Arrival:** Vehicle never arrived at the pickup location at all.
- **Wrong Location:** Vehicle arrived within the window but at the incorrect pickup point due to a dispatch or driver error.

To ensure a pattern or practice of a substantial number of trip denials/missed trips is not occurring,

BART uses a **Log of On Time Performance** (known as a *trip denial log/missed trip log*) to document and analyze all trip denials, including such details as the rider’s identification, date of request, date and time of requested trip(s), origin and destination, and reason for denial.

Every attempt will be made to avoid trip denials and missed trips.

Rider Declined/Turned-Down Trips

ADA provisions allow agencies to negotiate pick up times within a certain window of the rider’s requested time. Declined trips occur when an agency offers a specific pickup time (within the pickup window) and the rider declines the offer.

Examples of Declined Trips:

- **Declined due to time:** If a rider requests an 8:00am pickup and the agency offers 8:30am (which is within the pickup window) but the rider declines the ride, it is officially recorded as a ‘Rider Declined trip’.
- **Declined due to trip characteristic:** A trip is offered within the pickup window but is declined because rider wants a solo trip (requests for non-shared-ride). Specifically, if a rider requests a trip but the dispatcher indicates the trip will be or could be shared with other riders; rider declines, it is officially recorded as a ‘Rider Declined Trip’.

This data is collected and tracked on the **Log of On Time Performance** and is used by **BART** to monitor capacity constraints.

Cancellations

All cancellations require a one (1) hour notification prior to the scheduled pick-up time.

A late cancellation is defined as either:

- 1) A cancellation made less than one (1) hour before the scheduled pick up time or
- 2) A cancellation made at the door or a refusal to board a vehicle that has arrived within the pick-up time window.

Riders should telephone the **BART** office as soon as possible once it is determined that the rider no longer requires the scheduled pickup.

If a cancellation request is made outside of business hours, the rider should leave a voicemail message indicating the date and time the ride is being cancelled, along with a contact name and phone number.

No Shows

A no-show occurs when **BART** arrives at the scheduled pickup location on time and the driver waits at least five (5) minutes, after the negotiated pickup time, but the rider fails to appear.

The driver will wait until the negotiated pickup time to begin a 5-minute countdown and will wait until the full **(5) five minutes** have elapsed before departing without the rider. For example, when the negotiated pickup time is 11:00am and the vehicle arrives at 10:55am, the driver will wait for the rider at least until 11:05am before departing.

No-shows due to **BART** staff error or circumstances beyond a rider's control do not count as a no-show or late cancellation.

See copy of *Rider Suspension Policy* attached.

Riding Demand Response and Complementary ADA Paratransit Service

Pickup Time Window

Transit agencies may use pickup windows to enable shared-ride scheduling. The Federal Transit Agency (FTA) considers pickups on time as long as drivers arrive at pickup locations within the established pickup window.

Once the negotiated time is established, the pickup time window is defined as a **15 minute** period beginning **15 minutes** before the scheduled negotiated time, to **15 minutes** after the negotiated time. Riders must be ready to board the vehicle within the pickup time window. For riders using demand response or complementary ADA paratransit service, the driver will wait for a maximum of **five (5) minutes** within the pickup time window for the rider.

A good practice used by **BART** when confirming trips during reservation calls is to restate the negotiated time and the beginning and end of the pickup window.

If the bus will be more than **15 minutes** late for a scheduled pickup time, **BART** will make every effort to let the customer know.

Driver Assistance

Service may not be rendered if the vehicle cannot access the origin or destination location, or if the location does not provide safe passage for the vehicle or safe access to the vehicle by the passenger. The driver shall immediately call the dispatcher for further instructions in such case.

Drivers must be properly trained in the use of accessibility equipment as well as sensitivity to people with disabilities.

Drivers are not permitted to do the following:

- ✓ Maneuver a wheelchair up or down any steps. This rule is provided for the safety of the passenger and the driver.
- ✓ Deny an individual transportation because a vehicle's securement system is unable to secure the mobility device.
- ✓ Provide a level of assistance that constitutes a direct threat to the health or safety of the driver.

Safety Tips

- Be sure the driver is ready to assist you before approaching the lift or ramp.
- Follow the instructions given by the driver.
- If you use a wheelchair, make sure it is properly tied down and the brakes are on.
- If you use a power wheelchair, turn off the power after it has been secured.
- Always wear your seatbelt.

Accommodations of Wheelchairs

All wheelchairs are required to be secured within the securement system to ensure that the wheelchair remains secured. However, **BART** will not deny transportation to a wheelchair or its user on the ground that the device cannot be secured or restrained satisfactorily by the vehicle securement system.

Individuals using wheelchairs/mobility devices shall be transported in **BART** vehicles if their wheelchair/mobility device meets the following criteria:

- Device must meet the definition in FTA 49 CFR 37.3: "A mobility aid belonging to any class of three or more-wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered.
- The wheelchair/mobility device and occupant combined weight does not exceed that of the lift specifications and the carriage of the wheelchair is demonstrated to be consistent with legitimate safety requirements.
- **BART** does not permit riders who use wheelchairs to ride in places other than designated securement locations in the vehicle, proper wheelchair securement procedures must be used.
- The wheelchair/mobility device width must be compatible so as to fit on the ramp and within the securement area.

Vehicle ramps/lifts and kneelers are inspected daily. Regular preventative maintenance is performed on the ramp/lift on a scheduled basis. Vehicle Operators are instructed to report defects/failures in the ramp/lift immediately to dispatch.

BART staff will promptly remove the vehicle with the malfunctioning ramp from service. Repairs to the ramp/lift are made promptly. The vehicle will not be returned to service until the ramp/lift has been repaired.

At any time, if an accessibility feature on a **BART** vehicle is inoperable **BART** will take reasonable steps to accommodate individuals with disabilities who rely on these features.

Persons with mobility disabilities may use devices other than wheelchairs to assist with locomotion such as canes, walkers, crutches etc. The devices will be accommodated on the same basis as wheelchairs.

Ramp/Lift and Securement Use

Drivers are instructed to deploy the ramp/lift when operating vehicles to provide accessibility for all riders. Drivers shall not refuse to permit a passenger who uses a lift/ramp 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 preclude the safe use of the stop by all passengers.

Personal Care Attendant (PCA)

Personal Care Attendants (PCA's) can travel with eligible clients for free but must have the same origin/destination. Companions/guests can travel with an eligible client for the same amount charged to the ADA eligible rider. Arrangements for additional companions should be made at the time of the reservation. **BART** does not provide PCAs.

V. MISCELLANEOUS

Visitor Policy

Visitors to the area must be provided 21 days of service (in a 365-day period) when they provide documentation of ADA eligibility from another area. If a person is traveling from an area that doesn't have demand response or paratransit services, they may be requested to provide documentation of their disability. If more than 21 days of service is needed, visitors can be required to go through the local eligibility process.

Medical Equipment

BART shall not prohibit an individual with a disability from traveling with a respirator or portable oxygen supply. **BART** allows riders to use the concentrators as needed while aboard the vehicle.

Service Animals and Accommodations of Animals

Per the Americans with Disabilities Act (ADA) of 1990, **BART** allows *service animals* to accompany their owner without restraint.

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

BART cannot require riders to provide documentation for their service animal before boarding a vehicle or entering a facility, but personnel may ask riders two questions: (1) is the animal a service animal required because of a disability? and (2) what work or task has the animal been trained to perform?

The ADA allows for **BART** to take necessary steps for the safe operation of its transportation services. **BART** may require use of a secured pet travel carrier for any animal that is a health or safety hazard regardless of the kind of training it has received and what function it serves for its owner.

Comfort animals are not allowed.

Under Department of Transportation (DOT) Americans with Disabilities Act (ADA) regulations at 49 C.F.R. Section 37.167(d):

Transit entities are only required to allow service animals to accompany individuals with disabilities in vehicles and facilities. DOT ADA regulations at 49 C.F.R. Section 37.3 define a service animal as an animal "individually trained to work or perform tasks for an individual with a disability."

If an animal's only function is to provide emotional support or comfort for the rider, that animal does not fall under the regulatory training-based definition of a service animal. Simply providing comfort is something that animal does passively, by its nature or through the perception of the owner.

Carry-on Packages

Drivers will help passengers take lightweight items off the vehicle and set them on the curb. If additional assistance is required, this assistance may be rendered on a case-by-case basis. To ensure timely service, passengers are encouraged only to bring what they can carry on their own or with the assistance of a PCA.

Inclement Weather

In the unlikely event of service cancellation due to inclement weather or other emergency, **BART** personnel shall attempt to contact all scheduled passengers. **BART** also advises passengers to tune into local news stations for information regarding **BART's** transportation services.

Lost and Found

BART will not be responsible for items left on vehicles. However, if found, the item(s) will be held for 30 days. If the item is not claimed within 30 days, it may be donated to a local charitable organization.

Passengers attempting to local lost items should contact **BART**. If the passenger's item has been located, every effort will be made to return the item to the passenger on their next scheduled trip.

VI. COMPLAINT PROCESS

How to File a Complaint

Any person who believes they've been discriminated against on the basis of disability by **BART** may file an ADA complaint by completing and submitting **BART's** Complaint Form.

For information on **BART's** civil rights program, ADA obligations, and the procedures to file a reasonable modification or complaint, contact Pat Daoust at 715-682-9664, Ext. 205 or p.daoust@bartbus.com. For people who are deaf, hard-of-hearing, deaf-blind, and speech disabled please use Wisconsin Relay 711 service <https://wisconsinrelay.com>.

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- **Log – On Time Performance**
- **Application Information**
 - Contact **BART's** ADA Coordinator, Todd Mattson at 715-682-9664, Ext. 203 or mobilitymanager@bartbus.com for an ADA/Reduced fare application.

Bay Area Rural Transit (BART)

Reasonable Modification Policy

Policy

Persons wishing to request a reasonable modification of **BART** policies and procedures in accordance with 49 CFR Parts 27 and 37, should call (715)682-9664. For people who are deaf, hard-of-hearing, deaf-blind, and speech disabled please use Wisconsin Relay 711 service by dialing 7-1-1 or visiting <https://wisconsinrelay.com>.

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

BART will make reasonable modifications when necessary to ensure access to transit services for individuals with disabilities, unless:

- The individual with a disability can fully use the transportation service without the modification.
- Making the modification would:
 - fundamentally alter the nature of the public transportation service
 - be beyond the job duties, training, and capability of a driver (e.g., medical transports) requiring a level of care that exceeds **BART's** reasonable modification of its policies, practices, and procedures.
 - create a direct threat to the health and safety of others including passengers and drivers, or
 - cause an undue financial or administrative burden.

Requests for modifications may be made either orally or in writing by completing a *Reasonable Request Form*. Whenever feasible, requests for modification should be made before **BART** is expected to provide the modified service. **BART** will make every effort to provide the requested accommodations and, if it cannot, will take any other reasonable actions to ensure that the individual with a disability receives the services sought.

Time Frame for Processing Requests

The time necessary to process a request depends on the nature of the modification(s) requested and whether it is necessary to obtain supporting information. **BART** will strive to process requests for reasonable accommodation and then provide the modification, where appropriate, within **thirty (30)** business days.

BART will communicate directly with the person requesting the modification.

Denying a Request

If the modification is denied, **BART** will communicate the decision in writing to the individual requesting the modification. The explanation for the denial will state:

- a. the specific reasons for the denial;
- b. any alternative modification that may offer the same access to transit services as requested by the individual; and
- c. the opportunity to file an appeal.

Appeal Process

BART will follow its existing procedure for investigating and tracking complaints/appeals. For individuals unable to communicate their appeal in writing, individuals will be allowed to submit their appeal in other ways such as a personal interview, phone call, or taped requests.

Designated Employee

BART shall designate one official within the organization responsible for processing reasonable modification requests and handling appeals. This individual is:

Pat Daoust, Transit Manager

Bay Area Rural Transit
P.O. Box 612
2216 6th Street East
Ashland, WI 54806
p.daoust@bartbus.com

Record Retention

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

Request for Reasonable Modification Form

Instructions:

An individual with a disability as described by ADA is eligible to request a reasonable modification if they experience a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or been regarded as having such impairment¹.

A request for reasonable modification form may be submitted via email at

p.daoust@bartbus.com

or US mail at:

Pat Daoust, Transit Manager

Bay Area Rural Transit

P.O. Box 612

2216 6th Street East

Ashland, WI 54806

BART will process requests for reasonable accommodation and then provide the modification, where appropriate, within (30) business days. The time necessary to process a request will depend on the nature of the modification(s) requested and whether it is necessary to obtain supporting information. If the modification is denied, an appeal process is in place.

Passenger who needs Modification

| | | | |
|---------|--|-------|--|
| Name | | | |
| Phone | | Email | |
| Address | | | |

Person completing this form (if other than passenger).

| | | | |
|---------|--|-------|--|
| Name | | | |
| Phone | | Email | |
| Address | | | |

Does the passenger who needs modification currently use the transportation service?

| | |
|--------------------------|-----|
| <input type="checkbox"/> | Yes |
| <input type="checkbox"/> | No |

¹ [Americans with Disabilities Act, Title 42, Chapter 126, Section 12102](#)

Request for Reasonable Modification Form (continued)

| |
|---|
| Describe the passenger's disability or disabilities. |
| |

| |
|--|
| Describe the service policy that may need to be modified to allow the passenger full access to the transit services provided. |
| |

| | | | |
|---|--|--------------------------|--|
| How would you like BART to respond to the request? | | | |
| In writing | | Send Response to: | |
| By email | | <i>Insert Name</i> | |

| | |
|---|---------------------------------------|
| If future communications regarding this request are needed in an alternate format, please indicate the appropriate format below: | |
| | Large Print (Font Size Needed: _____) |
| | Spanish |
| | Other |

Request for Reasonable Modification Form (continued)

BART - Official Use Only

| | |
|---------------------------------------|--|
| Date Received | |
| Request Number | |
| Notes: | |
| Approved/Denied: (Specify) | |
| Official Name: | |
| Date: | |

Rider Conduct Policy

Rules of Conduct

The rules of conduct will assist in the safety and comfort of the riders and operator. Riders who violate rules of conduct are subject to penalties, up to and including suspension of service.

Riders must:

- ✓ Wear a seat belt.
- ✓ Keep their wheelchair or mobility device fastened while the vehicle is in operation.
- ✓ Follow personal hygiene measures that do not result in a public health hazard.
- ✓ No eating, drinking, or smoking on board.
- ✓ No abusive, threatening, or obscene language or actions or intent to act on board or while requesting the service.
- ✓ No physical abuse of another rider or the vehicle operator.
- ✓ No operating or tampering with any equipment while on board.
- ✓ No weapons are allowed of any kind (*except those allowed by state law*).

If the driver reasonably believes a passenger's physical condition or conduct is hazardous, or if a passenger possesses weapons, instruments or equipment that are reasonably believed to be dangerous, service may be terminated immediately.

Suspension of Service due to Prohibited Conduct

Any violation of a rule of conduct listed above may result in an immediate **7-day** suspension from service. After the suspension has begun **BART** administrative staff will review the circumstances. Upon review, the suspension can either be lifted, extended, or continued indefinitely.

Payment of fare is required. Non-payment of the fare will result in a suspension until the required payment is made.

BART riders have the right to an administrative appeal if they do not agree with a decision to suspend service for disruptive conduct.

See **BART's Appeals Process** for more information.

Rider Suspension Policy

Disruptive Rider, No-Show, and Late Cancellation

Overview

To ensure that transportation services are safe, efficient, and cost effective, **BART** has established a policy framework to address issues related to disruptive riders, no shows, and late cancellations.

Definitions

Disruptive Rider

A disruptive rider is defined as a rider who violates the **BART** rider conduct requirements and behaves in a violent, seriously disruptive, or illegal behavior.

No-show

The pickup window is defined as **15 minutes before the scheduled pickup time to 15 minutes after the scheduled pickup time**. Riders must be ready to board a vehicle that arrives within the pickup window. The driver will wait for a maximum of **five (5) minutes** within the pickup window for the rider to appear.

A no-show occurs when a rider fails to appear to board the vehicle for a scheduled trip. This presumes the vehicle arrives at the scheduled pickup location within the pickup window and the driver waits at least **five (5) minutes**.

Late Cancellation

A late cancellation is defined as either: a cancellation made less than [1 hour]² before the scheduled pickup time or as a cancellation made at the door or a refusal to board a vehicle that has arrived within the pickup window.

Suspension Policy

Disruptive Rider

Any violation of a rule of conduct listed above may result in an immediate **7-day** suspension from service. After the suspension has begun **BART** administrative staff will review the circumstances. Upon review, the suspension can either be lifted, extended, or continued indefinitely.

Payment of fare is required. Non-payment of the fare will result in a suspension until the required payment is made.

² FTA permits transit agencies to consider late cancellations as no-shows for trips cancelled less than 1 or 2 hours before the pickup time provided to the passenger at the time the trip was reserved, and only under the same circumstances (i.e., not due to circumstances beyond the rider's control).

No Show/Late Cancellation

BART tracks scheduled trips, no-shows, and late cancellations. **BART** reserves the right to suspend from services any rider who establish a pattern or practice of missing scheduled trips.

When a rider is a no-show for one trip, all subsequent trips on that day remain on the schedule unless the rider specifically cancels the trips. To avoid multiple no-shows on the same day, riders are strongly encouraged to cancel any subsequent trips they no longer need that day.

If an individual receives more than (3) three no-shows in a 30-day period **AND** the no-shows equal more than 10 percent of their total trips scheduled for that 30-day period, the following progression action will be taken:

Suspensions begin on Mondays. Violations result in the following:

- First occurrence: A warning phone call and written letter/email
- Second occurrence: **3**-day suspension
- Third occurrence: **7**-day suspension
- Fourth occurrence: **14**-day suspension
- Fifth and subsequent occurrences: **30**-day suspension

All suspension notices include a copy of this policy, information on disputing no-shows, pick-up window delays, or late cancellations and how to appeal suspensions.

Notes:

Suspension schedule for No-Shows³ and Late Cancellations cannot exceed 30 calendar days.

A record of no-show violations will be kept for only a six-month period. This ensures that someone with a no-show problem in January, will not be unduly punished in August unless a problem exists.

Exceptions

BART does not count as no-shows or late cancellations for any missed trips due to errors, such as:

- Trips placed on the schedule in error
- Pickups scheduled at the wrong pickup location
- Drivers arriving and departing before the pickup window begins
- Drivers arriving late (after the end of the pickup window)
- Drivers arriving within the pickup window, but departing without waiting the required **five [5] minutes**

BART does not count as no-shows or late cancellations situations beyond a rider's control that prevent the rider from notifying us that the trip cannot be taken, such as:

- Medical emergency
- Family emergency
- Sudden illness or change in condition
- Appointment that runs unexpectedly late without sufficient notice

³ Per FTA 4710.1, a no-show suspension schedule cannot exceed 30 days.

Riders should contact **BART** staff when experiencing no-shows or late cancellations due to circumstances beyond their control.

Appeals

Riders that feel they've received a suspension in error may file an appeal by phone, email, or US mail. Appeals should be made within **15** business days of receiving the suspension.

Appeals should include information on the time, date, pick-up window address of the no-showed ride you're appealing, and the reason for the appeal – e.g., a health-related reason, vehicle arrived outside of pick-up window, etc.

Riders who miss the appeal request deadline will be suspended from **BART** on the date listed on the suspension notice.

All suspension appeals follow **BART's** appeal policy.

Appeals Policy

Riders have the right to an administrative appeal if they do not agree with **BART's** ADA eligibility determination or a decision to suspend service for disruptive conduct, denying a request for reasonable modification, no shows, late cancellations, or a civil rights complaint determination.

You may appeal in writing or in person. Written appeals must be submitted using the **Notice of Appeal Form**.

Appeals will be heard by a **BART** staff member(s) not involved in the suspension determination process. The decision of the independent **BART** staff member(s) is final.

BART will inform the **BART Board of Directors** of rider appeals.

Designated Employee

BART has designated one official within the organization responsible for handling appeals. For information on how to submit an appeal, contact Pat Daoust at 715-682-9664, Ext. 205, p.daoust@bartbus.com or PO Box 612, Ashland, WI 54806.

Appeal Type

ADA Eligibility Determination

- If you are appealing an ADA eligibility denial you must submitted an appeal within **60 calendar days** of the application denial. If a decision is not made by **BART** within **30 calendar days** of the completion of the appeal process, **BART** will provide service from that time until and unless a decision to deny the appeal is issued.

Disruptive Conduct

- If you are appealing a service suspension for violent, seriously disruptive, or illegal behavior, service ***will not*** be provided during the appeal process.

Reasonable Modifications

- If you are appealing the decision made by **BART** regarding a reasonable modification request determination, service ***will not*** be provided during the appeal process.

No Show/Late Cancellation

- If you are appealing a service suspension for violation of **BART's** No Show/Late Cancellation Policy, service will be provided until an appeal hearing is concluded and a decision rendered.

Civil Rights Complaints

- If you are appealing the decision made by **BART** regarding a civil rights complaint, service will be provided without disruption.

NOTICE OF APPEAL

If you wish to submit an appeal, please complete this form, and return it as soon as possible. Appeals must be returned within **15 business days** of your notification of suspension or civil rights determination.

Note: Appeals related to an ADA application determination denial must be submitted within **60 calendar days** of the application denial.

| Rider Information | | | |
|-------------------|--|---------------|--|
| Name: | | Phone: | |
| ID#: | | Email: | |
| Address: | | | |

Please check one of the following:

| | |
|--------------------------|--|
| <input type="checkbox"/> | I wish to appeal in person. Individuals choosing to appeal in person will be contacted by BART to schedule the appeal hearing. Hearings may be conducted by teleconference at BART's discretion. |
| <input type="checkbox"/> | I wish to appeal in writing. I understand the final decision on my appeal will be based solely on written materials in possession of BART and those I am submitting with this form. (If you choose to appeal in writing, you must state specifically why you disagree with the suspension. You should provide supporting documentation.) |

| Tell us why you are appealing: (attach additional pages and documentation, if needed) |
|---|
| |

Signature/Date: (This form will be returned if unsigned)

| | | | |
|-------------------|-------|--------------|-------|
| Name: | _____ | Date: | _____ |
| Signature: | _____ | | |

Return this form and include any supporting documentation to:

BART
Patrick Daoust, Transit Manager
PO Box 612
Ashland, WI 54806
715-682-9664, Ext 205
p.daoust@bartbus.com

Example Only - This document is an example of the type of information BART gathers to document and analyze capacity constraints such as trip denials and missed trips to ensure a pattern or practice of a substantial number of trip denials and missed trips are not occurring.

Log: On Time Performance (Monitoring Capacity Constraints)

Date: 4/27/2026

Trip Denials, Missed Trips, Rider Declines Trip, Late Cancellations, and No Shows

| Rider Information | | | | | Out Bound Trip | | | | | | | | | Return Trip | | | | | | | | | | | |
|-------------------|------|----------------------|-------------------------------|-------------------------|----------------|------|--------|-------------|------------------------|------------------------|-------------------------|---------------------|-------------------|--------------|-----|------|--------|----------------|------------------------|-------------------------|-------------------|---------------------|-------------------|---------|--|
| | | | | | Trip Request | | | | Transit Agency | | Rider Behavior/Decision | | | Trip Request | | | | Transit Agency | | Rider Behavior/Decision | | | | | |
| Date | Name | Rider Identification | Is the Rider Disabled? Yes/No | Limited English? Yes/No | Day | Time | Origin | Destination | Reason for Trip Denial | Reason for Missed Trip | Wait List? Yes/No | Rider Declined Trip | Late Cancellation | No Show | Day | Time | Origin | Destination | Reason for Trip Denial | Reason for Missed Trip | Wait List? Yes/No | Rider Declined Trip | Late Cancellation | No Show | |
| | | | | | | | | | | | | | | | | | | | | | | | | | |
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Notes: FTA C 4701.1 - ADA Guidance

A tracking mechanism (such as a log) should be used to record all trip requests, regardless of whether the trip is denied, missed, declined by the rider/requester, or the rider has a late cancellation or is a no show. This data helps agencies identify underlying causes for capacity constraints and can be used to prevent future trip denials, missed trips, rider declined trips, late cancellations and no shows.

Limited English Proficiency

Only log callers whose English is so limited that either: (a) the trip cannot be serviced; or (b) the caller must hand off the phone to somebody else to complete the order.

Trip Denials and Missed Trips

Trip denials and missed trips are generally defined as a scheduled trips that do not occur due to some fault of the transit agency. Counting the number of trip denials and missed trips means accounting for all trips the rider is unable to take because of the denial/missed trip. While there's no universal trip denial/missed trip percentage, transit agencies work with their respective subrecipients to set their own standards for a allowable percentages of trip denials and missed trips and take corrective action if those standards are not met.

Examples of Trip Denials

- 1) A rider requests a next-day trip and the transit agency says it cannot provide that trip.
- 2) A rider requests a next-day trip and the transit agency can only offer a trip outside its negotiating window (before/after the individual's desired departure time). This is a denial regardless of whether the rider accepts such an offer.
- 3) A rider requests a round-trip and the transit agency denies the outbound portion of a requested round-trip and only offers a return trip. If the rider then elects not to travel at all, this represents two denials. However, if an agency denies a 'going' trip and the rider accepts a return trip, then this is counted as one denial.
- 4) A rider is denied a trip due to 'wheel chair size' even though it fits the definition of a wheelchair.

Examples of Missed Trips

- 1) **Premature No-Shows:** Vehicle arrived at the pickup location but left before the rider can board because the driver did not wait the established required time (most commonly set at 5 minutes).
- 2) **Late Arrival:** Vehicle arrives after the "pickup window" (e.g., more than 30 minutes late to the scheduled time) and the rider(s) left or they chose to decline the trip.
- 3) **Non-Arrival:** Vehicle never arrived at the pickup location at all.
- 4) **Wrong Location:** Vehicle arrived within the window but at the incorrect pickup point due to a dispatch or driver error.

Rider Decisions/Behaviors

Rider Declined Trips

Declined Trips occur when an agency offers a specific pickup time (within the pickup window) and the rider declines the offer.

ADA provisions allow agencies to "negotiate" pickup times within a certain window (often one hour) of the rider's requested time.

What Declined Trip Means here: If a rider requests an 8 AM pickup and the agency offers 8:30 AM (which is within the pickup window), but the rider declines, it is officially recorded as a Rider Declined Trip.

From a reporting standpoint, the agency isn't penalized for a trip denial because a valid trip was offered that the rider chose not to take.

While it may sound straightforward, the reasons for refusing a trip and the tracking/reporting implications vary significantly depending on whether the system is operating with real-time requests (e.g., shared-ride taxi or micro-transit) or trips are reservation-based (e.g., ADA paratransit).

Examples of Rider Declined/Turned-Down Trips

- 1) **Declined Due to Time:** Trip offered within the "pickup window" but turned down. Rider requests an 8 AM pickup and the agency offers 8:30 AM (which is within the defined pickup window), but the rider declines, it is officially recorded as a 'Rider Declined Trip'.
- 2) **Declined Due to Trip Characteristics:** Trip offered within the "pickup window" but is declined because rider wants a solo trip (requests for non-shared-ride). Rider requests a trip but the dispatcher indicates the trip will be or could be shared with other riders; rider declines, it is officially recorded as a 'Rider Declined Trip'.

Late Cancellation and No Shows

- 1) **Late Cancellation:** FTA's general guideline is a 1 to 2 hour rule that permits agencies to classify any cancellation made by a rider less than 1 or 2 hours before the scheduled pickup as a late cancellation.
- 2) **No Show:** A no show occurs when a rider fails to appear to board the vehicle for a scheduled trip. This presumes the vehicle arrives at the scheduled pickup location within the pickup window and the driver waits at least (5) five minutes for the ride

*Agencies can set their own specific timeframes/standards for late cancellations and no-shows much like they can set their own reasonable policies on pickup windows and can develop a policy to suspend services of riders who establish a pattern of missing scheduled trips.