

ADA COMPLEMENTARY PARATRANSIT SERVICE GUIDE



Services provided by:
Golden Crescent Regional Planning Commission
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TO SCHEDULE A RIDE!

361-578-8775 or

Toll Free 1-877-538-6819

Disclaimer:

This guide is only a source of information and serves as guidelines outlining Golden Crescent Regional Planning Commission's Victoria Transit Para Transit Service. It is not intended to cover all situations or be a legally binding document. Although efforts are made to make corrections as needed with subsequent printings, contents are subject to change with little or no notice.

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ADA COMPLEMENTARY PARATRANSIT SERVICE

1.0 Introduction

As a public operator of transit services, the Golden Crescent Regional Planning Commission's (GCRPC) Victoria Transit Service is required by the Americans with Disabilities ACT (ADA) to provide complementary paratransit services for people who, due to a disability, are unable to use fixed route bus services for some or all of their trips.

“Paratransit means comparable transportation service required by the ADA for individuals with disabilities who are unable to use fixed route transportation systems.”

2.0 Types of Service

Victoria Transit provides an origin to destination service and provides ADA complimentary paratransit in a curb-to-curb mode. However, we will provide assistance to those passengers who need assistance beyond the curb in order to use the service unless such assistance would result in a fundamental alteration or direct threat. Advance notice is recommended if door to door assistance is needed. However, Victoria Transit will make reasonable provisions if situations arise and unforeseen barriers exist and does not affect the safety of the rider or our Bus Operators.

Our Mission:

“To provide safe, courteous, and reliable transportation services in a cost-efficient manner.”

3.0 Complementary Paratransit Service

3.1 Hours and Days of Service and Service Area

As a result of a public participation process in 2001 GCRPC began planning to implement Fixed Route Service and provide paratransit service. Based on public comment it was decided that GCRPC would include the entire city limits of Victoria as its service area for paratransit service except when legal prohibitions prevent service. Paratransit service is available Monday through Friday, from 7:00 am – 6:00 pm the same service days and hours our Day Fixed Route Service operates.

In 2011, GCRPC implemented ADA Complementary Paratransit for its Job Access Weekend and Evening Service. GCRPC will provide service to qualified individuals who have both trip origins and destinations within a $\frac{3}{4}$ mile radius of the Three (3) Fixed Job Access Routes Complementary Paratransit Service. Service outside the $\frac{3}{4}$ mile area is not provided. Service is available Monday through Friday, from 6:00 pm to 10:00 pm; and Saturday from 11:00 am to 10:00 pm.

3.2 Trip Reservations and Response Time

Reservations can be made between the hours of 7:00 am to 6:00 pm Monday through Friday for day, evening, and Saturday services. A Transportation Service Representative is available on-call to add or make changes as needed for the Weekend and Evening Flex Service. Reservations can be made at least one-day in advance up to three days. A customer can also request a “standing ride” or subscription for trips that recur weekly at the same time to and from the same addresses. Our subscription trips will not exceed more than 50% of trips in a given time, and will be reviewed periodically. Customers who have excessive

cancellations or no-shows may result in forfeiture of subscription services (see policies below).

Victoria Transit will 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. Reservationist will consider a rider's time constraints.

3.3 Pickup Window

Victoria Transit utilizes a 15-minute window (e.g., -15/+15 window) for all scheduled passenger pickups. The window is defined as follows: A passenger calls to schedule transportation services at 3:00 pm. The Transit system can arrive to pick up the passenger as early as 2:45 pm or as late as 3:15 pm from the scheduled time of pickup. Before ending the call, the Reservationist will ensure that the pickup time is agreed-upon with the rider. This is important for those requests with appointment times to ensure the rider gets to their destination on time.

3.4 “Will Call” Trip Requests

As a service to riders who may not be able to predict their desired pickup time for return trips—often due to medical appointments—Victoria Transit will permit complementary paratransit riders to leave their exact pickup time for their return trips open (i.e., “will-call”). When riders know the time, they will be ready for pickup, they must contact Victoria Transit which then dispatches a vehicle. We limit will-calls to medical appointments.

3.5 Accommodating Riders with Wheelchairs and Other Mobility Devices

Victoria Transit will accommodate individuals using wheelchairs or other mobility devices. The Wheelchair or other Mobility device and occupant must fit on the lift and not exceed the weight

standards for our lift and vehicle. Victoria Transit may decline to carry a wheelchair/occupant if the combined weight exceeds that of the lift specifications or if carriage of the wheelchair and occupant is demonstrated to be inconsistent with legitimate safety requirements.

Wheelchair Definition

A wheelchair is defined as 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.”

3.6 Lift and Ramp Access

Passengers who use wheelchairs or similar mobility devices will find lift access to buses throughout the service area. The international access symbol is displayed on every accessible vehicle. Inboard and outboard facing of wheelchair and mobility aid users on the lift is permitted, unless there is a safety concern or direct threat to safety.



3.7 Boarding Separately from a Wheelchair and Standees

Some riders may be able to board separately from their wheelchairs to avoid having their combined weight exceed the design load of the vehicle lift. Standees are permitted on the lifts. However, Victoria Transit will not assume the controls of power wheelchairs to assist riders with boarding vehicles. Providing assistance with a power wheelchair falls under the category of attendant-type services, therefore a rider may need to bring a personal care attendant (PCA) to assist them.

3.8 Other Mobility Devices

Persons with mobility disabilities may use devices other than wheelchairs to assist with their travel. Canes, crutches, and walkers, for example are often used by people with mobility disabilities and do not require use of a wheelchair. Walkers with built in seats, cannot use the wheelchair securement seating area, these riders must transfer to a vehicle seat. Riders with mobility devices must maintain such devices in a state of cleanliness.

3.9 Seating Access

The seating in the front of the bus is reserved for the elderly, and/or passengers with disabilities. Each bus also has designated seating areas for persons in wheelchairs.

3.10 Securement Systems

Victoria Transit will use securement systems to secure wheelchairs in designated securement areas only. We may ask a rider to transfer to a vehicle seat if the wheelchair or other mobility device cannot be secured satisfactorily, however we will not deny a rider on the ground that the device cannot be secured or restrained satisfactorily.

3.11 Seat Belt and Shoulder Harness Use

Victoria Transit requires all riders to use their seat belts when sitting in vehicle seats. For each wheelchair user or other mobility device the rider is required to use the seat belt and shoulder harness unless a rider presents documentation that using seat belts and shoulder harnesses would pose a health hazard and allow that rider to travel without a seat belt and shoulder harness.

3.12 Calling Out Stops

In accordance with the Americans with Disabilities Act of 1990 (ADA), all bus operators on fixed route services announce stops as follows:

- Major stops/time points along the route
- Transfer locations and routes which serve them
- Major intersections
- Stops upon request

This service provides any passenger with information and orientation along the route and throughout the service area.

3.13 Other General Assistance

Bus Operators are trained to meet the needs of passengers with disabilities by assisting passengers when getting on and off buses.

- **Fare Handling:** A passenger can request for the vehicle operator to handle the fare for a passenger with a disability who is unable to reach or insert the fare in a fare box. However, the vehicle operator will not reach into any rider's pockets, purses, or backpacks.
- **Personal Care Attendant (PCA):** While PCAs may travel with a passenger with a disability, Victoria Transit is not responsible for providing a PCA to meet the needs of passengers with disabilities on paratransit for fixed route trips.
- **Luggage and Packages:** To ensure there is room for other passengers, each passenger boarding the bus can take as many packages as can be carried on and off the bus in one trip. The packages cannot take up extra seating thereby depriving other passengers else a seat.

- Hand-Carrying: Bus Operators will not lift a passenger out of his or her mobility device to transfer him/her to a vehicle seat. Such assistance is a matter for the passenger or PCA.

3.14 Fares

\$1.50 per one-way trip

Fares for Personal Care Attendants and Companions

When a personal care attendant (PCA) accompanies a complementary paratransit rider, the PCA will not be charged a fare. However, Victoria Transit will charge a companion/guest rider the same fare we charge the complementary paratransit rider which is \$1.50 per trip.

Pre-Paid Passes are available for purchase, please contact our office for additional information.

3.15 Operating Without Regard to Trip Purpose

Victoria Transit does not impose restriction or priorities based on trip purpose. Complimentary paratransit riders can ride the complementary paratransit system for any purpose.

3.16 Avoiding Capacity Constraints

Victoria Transit does not limit the availability of complementary paratransit riders by any of the following:

- 1) We don't restrict the number of trips an individual will be provided;
- 2) We have no waiting lists;

Please reference "Will Call" Trips Request and Subscription Services.

3.17 Wait Policy

Bus Operators are only allowed to wait 5 minutes (10 minutes for Medicaid Transportation) for the passenger(s) to show. If the passenger(s) do not show up within this period, the pickup is considered a “no-show”.

3.18 Circumstances Beyond Our Control

There may be situations that arise beyond our control in which services may be delayed or disrupted. These situations include inclement weather, unpredictable traffic delays (road closures, accidents), and occasional vehicle breakdowns. Victoria Transit has readily available backup capacity that allows for rapid response when breakdowns occur. It is not possible to plan for all conditions that disrupt service; however, we can adjust schedules accordingly.

3.19 Subscription Service

Victoria Transit offers subscription Service for trips such as dialysis, medical appointments, employment, etc. Our subscription trips will not exceed more than 50% of trips in a given time, and will be reviewed periodically. Customers who have excessive late cancellations or no-shows may result in forfeiture of subscription services. We may establish a waiting list for subscription service.

4.0 ADA Paratransit Eligibility

4.1 Eligibility and Processing Time

Victoria Transit provides ADA Complementary Paratransit Services for riders who are unable to use day fixed-route transit due to a disability for the particular trip being requested, and for Weekend and Evening ADA Complementary Paratransit service trip purposes must be for work, job search, training, and/or education related trips.

People wishing to ride paratransit must apply to GCRPC's Victoria Transit Program, which determines whether the conditions for paratransit eligibility, depending on which application type was submitted are met. The ADA Paratransit Eligibility Certification Form must be complete, a physician must verify your disability (short or long term), prognosis, and date of occurrence. This information must be submitted with the application. The Application processing time is **21 business days**. Riders are presumed eligible until an eligibility determination is made. If we do not receive a completed application within the 21-day timeframe, a rider may not be able to continue using our services until all documentation is returned. If applicants do not complete the process within that time, we will require them to reapply.

4.2 Written Notice of Eligibility Decisions

Victoria Transit will notify the applicant in writing whether the applicant is ADA Paratransit eligible; if the determination is that the individual is ineligible, Victoria Transit will state the reasons for the finding. Written documentation will include the applicants name, the ADA Paratransit Coordinator's contact information, and a service expiration date if applicable. For applicants that are determined ineligible, the applicant can file an appeal (see Appeal Process).

If the application also included the need for a Personal Care Attendant (PCA) the written documentation shall also reflect the approval of a PCA.

4.3 Recertification

All clients who are disabled will be recertified for ADA Paratransit Services annually. The ADA Paratransit Coordinator will contact you in writing with the required documentation needed for recertification.

4.4 ADA Administrative Appeal Process

Victoria Transit offers individuals who are denied eligibility to have their application further reviewed and have their appeal heard in person.

(1) The applicant has 60 days to file an appeal with the ADA Paratransit Coordinator which can be submitted in writing using the Notice of Appeal Form.

(2) The Appeal will be heard in a timely manner and within 30 days of the written appeal notice. The applicant has an opportunity to be heard in person and present additional information or arguments.

(3) The Appeal will be heard by the Director of Transportation Services. The rider can provide additional written documentation, instead of appearing in person. Once a decision is made the Director of Transportation will provide the applicant with written appeal decisions (in accessible formats as appropriate) with specific reasons for the decision provided, similar to the level of detail provided in the initial determination letter.

4.5 Service for Visitors

~~Services will be provided to any visitor within the same day once a request is made. We will verify ADA eligibility either by documentation from another transit system or verbally by contacting the transit system directly. The visitor will be allowed to use our services for 21 days, after that time they will be required to apply our paratransit services.~~

Visitors to the region unable to use the fixed-route service may use paratransit eligibility credentials from other transit agencies. If the visitor has been certified as ADA paratransit eligible by another public entity, GCRPC will honor the certification and the visitor may use the paratransit service for 21 days in a 365-day period. It

is recommended the visitor call GCRPC at least one-day in advance, so all appropriate information is gathered. If visitors have not been certified as ADA paratransit eligible by another public entity, but claim they meet GCRPC eligibility criteria they shall be allowed to use the paratransit service for 21 days in a 365-day period. Visitors who are not certified by another transit provider and may be requested to provide certain documentation, such as place of residence and the nature of their disability.

The 21 days during any 365-day period of service shall be provided to visitors with disabilities beginning with the visitor's first use of service.

Visitors who require more than 21 days of service within a 365-day period are required to apply for local eligibility through the certification process. Visitors with disabilities shall be provided the same level of service as other eligible passengers and are subject to the same service policy requirements.

5.0 Access to Information

All information about the process, materials necessary to apply for eligibility, and notices and determinations concerning eligibility are available in written communication, unless alternative formats for vital service information are requested by the rider. Information can all be accessed by visiting our website at www.gcrpc.org.

6.0 Providing Title VI Language Access

Victoria Transit as a recipient of Federal funds has an obligation under Title VI of the Civil Rights Act of 1964 for ensuring individuals with limited English proficiency (LEP) can access information on our ADA Paratransit Service and how to apply.

7.0 Confidentiality of Applicant Information

Victoria Transit will keep all personal identifiable information, including information about disabilities and health condition confidential, and limit distribution to only those who need access. All files will be kept in a secure and locked location.

8.0 Cancellation Policy

It is required that passenger notify the dispatch office of any necessary cancellations at least two (2) hours prior to the scheduled trip. Failure to notify dispatch less than two (2) hours before the scheduled trip will result in the cancellation being considered late. Any late cancellation will be treated as no show. In the event that the two-hour cancellation window is before regular business hours, the cancellation will not be considered late.

9.0 No-Show Policy

This No-Show Policy has been developed as a guide to implementing ADA requirements for rider no-shows. A no-show is defined as failure to show-up at the scheduled pick-up time and/or location, failure to provide a two (2) hour cancellation notice or not boarding within the allotted waiting period upon vehicle arrival. No-shows not only costs GCPRC unnecessary expenses, but may also affect other customers who have trips booked at that time.

After the required waiting period, the Bus Operator will mark the trip as a no-show, proceed on their route and will not return to complete the trip. If the passenger later determines that they still need the trip, they must call the dispatch office to attempt to reschedule. If approved, GCRPC will return at the earliest time possible, within service hours, depending on vehicle availability. There is no guarantee that GCRPC will be able to accommodate

the trip after it has been cancelled or no-showed. The Transportation Operations Coordinator and/or other authorized staff reserves the right to permit a Bus Operator to return for a pickup if circumstances warrant. Please note, if you have an outbound and return trip scheduled, this counts as two (2) separate trips. If you no-show for the first leg and contact is not made prior to the second leg, the return trip will be counted as a no-show as well resulting in two (2) no-shows.

It is important to note that sanctions could be imposed for a “pattern or practice” of no-shows. A pattern or practice involves intentional, repeated or regular actions, not isolated, accidental, or singular incidents. Moreover, only actions within the control of the passenger count as part of a pattern or practice. Other circumstances beyond the rider’s control but not limited to:

- Family emergency
- Illness that precluded the rider from calling to cancel
- Personal attendant or another party who didn’t arrive on time to assist the rider
- Rider was inside calling to check the ride status and was on hold for an extended time
- Rider’s appointment ran long and did not provide opportunity to cancel in a timely way
- Another party cancelled rider’s appointment
- Rider’s mobility aid failed
- Sudden turn for the worse in someone with a variable condition
- Adverse weather impacted rider’s travel plans, precluding the rider from cancelling in a timely way.

No-shows due to Bus Operator error are not attributable to the individual passenger for this purpose may include:

- Vehicle arrived late, after the pickup window
- Vehicle arrived early, before the pickup window and rider was not ready to go
- Vehicle never arrived
- Vehicle went to the wrong location
- Bus Operator did not follow correct procedures to locate the rider
- Rider cancelled in a timely way, but the cancellation was not recorded correctly or was not transmitted to the Bus Operator in time.

Notification before Suspensions:

Victoria Transit will notify the rider by telephone after each no-show and document in their rider profile the reason for the no-show. Victoria Transit will not count the no-show if it was beyond the rider’s control or bus operator error as listed above.

Victoria Transit will consider five (5) no-shows within a 30-day period as a trigger to identify riders who need a detailed check on their trip history and no-show frequency to determine if service suspensions are appropriate. Victoria Transit will verify if the number of recorded no-shows is a significant percentage of their total trips taken for the month. Victoria Transit uses a standard of 15% of a rider’s total trips taken as a trigger to start the suspension process.

The progressive suspension process that we will ensue is as followed:

- 1st Offense – Passenger will receive a verbal warning and will be reminded of the GCRPC No-Show Policy
- 2nd Offense – Written Warning mailed out to the passenger notifying them of their no-show status
- 3rd Offense – Review of past services and passenger’s pattern of no shows. If determined preventable, will result in suspension of services for up to one (1) week depending on the individual rider’s circumstances

Suspensions will not be split or altered without the approval of Management.

If it is determined that a pattern of no-shows or missed trips is found, the ADA Paratransit Coordinator will notify the rider in writing of a service suspension. The rider will also be given an opportunity to appeal the decision.

Suspension Appeal Process

A rider can request the following:

- Telephone Hearing
- Face-to-Face Hearing
- Waive a Hearing and proceed with a Written Presentation provided by the rider.

Although the hearings are meant to be informal, the rider can bring a representative.

Who will hear the Appeal and make a determination if service suspension should be lifted or stand as originally presented:

- Director of Transportation Services
- 2 Individuals who represent the disability community
- 1 Para-transit rider

A rider will have the right to appeal a service suspension by notifying the ADA Paratransit Coordinator either by telephone at

(361)578-8775 ext. 211 or in writing to the address below within 15 business days of receipt of written service suspension.

GCRPC Victoria Transit
Attn: ADA Paratransit Coordinator
1908 N. Laurent St. Suite 115
Victoria, Texas 77901

Victoria Transit will not deny transportation services during an appeal process. If after 15 business days have passed and the rider has not appealed the service suspension, the service suspension will proceed as provided in the written notification to the rider.

The ADA Paratransit Coordinator, upon receiving a request for an appeal will gather all the appropriate documentation and submit it to the Director of Transportation Services for review. After the appeal has been presented and the appeal committee has made their determination, detailed written documentation will be sent to the rider.



Helpful Tips When Calling

- **Have pencil and paper ready**
- **Be Ready to tell the Transportation Service Representative:**



- **Where our Bus Operator should pick you up: Give a complete physical address.**
- **Where are you going: Name of Business and its complete physical address.**
- **The Time you would like to get there.**
- **Do not forget to request your return trip.**
- **If you will have a Personal Care Attendant with you, or other additional passengers.**
- **One day advance notice is needed to schedule a ride.**

NOTES

10.0 ADA Reasonable Modification Policy

Department of Transportation (DOT) issues regulations implementing the transportation and related provisions of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, as amended. These regulations apply broadly to both public and private entities and to almost all types of transportation services, including fixed route bus and rail (e.g.,

commuter, rapid, and light rail), complementary paratransit, demand responsive service and ferry service.

Title II of the ADA applies to public transportation provided by State and local governments. Section 504 applies to all organizations and agencies that receive federal funding. Both laws require that policies, practice and procedures be modified so that the transportation services are accessible to individuals with disabilities.

To ensure equality and fairness, GCRPC is committed to making reasonable modifications to its policies, practices, and procedures to avoid discrimination and ensure programs and services are accessible to individuals with disabilities. If you have a concern about GCRPC policies, practices, and procedures, please call, write us or visit gcrpc.org for more information.

11.0 Service Animal Policy

ADA defines a service animal as any guide dog or other animal individually trained to help an individual with a disability. If they meet this definition, animals are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government. Therefore, it is a requirement of all staff to allow service animals aboard all transit vehicles or facilities. A customer with a service animal cannot be segregated from other customers and the service animal must be permitted to accompany its owner on the vehicle or in a facility. However, service animals may not block aisles or exits or otherwise interfere with other customers reaching them.

12.0 Oxygen Supplies

A passenger may bring a portable medical oxygen supply on board a vehicle. The oxygen cylinder shall be labeled with the

manufacturer’s instructions and precautions and be free of cracks and leaks. If a cylinder is dented, gouged, or pitted you will not be allowed to board the vehicle with the damaged oxygen supply. We reserve the right to limit the number of cylinders transported as practicable. Portable oxygen cylinders shall be transported upright and secured. “Secured” means the cylinder is not moving around in the vehicle.

13.0 Articles Permitted on Vehicles

The following articles may be carried on transit vehicles providing such articles are not permitted to remain in a location where they will interfere with the entrance, exit, or free use of the aisles by passengers, or with the safe operation of the vehicle:

- Carriages and strollers- Baby carriages or strollers may be carried only when folded.
- Carts- Personal shopping carts may be carried on board so long as they do not block aisle.
- Walk aids and stand-up walkers- Passengers with walk aids will be permitted to board transit vehicles at any time. It is preferred that walkers be folded as so as not to interfere with the free use of the aisle.

14.0 Articles Not Permitted on Vehicles

The bus operator should exercise judgment concerning the overall safety of all passengers. The following items represent potential hazards and may be prohibited:

- Bicycles;
- Fishing poles that are not safe (the pole is assembled and /or hooks are attached)
- Sharp objects or instruments:
- Gasoline or other hazardous materials;
- Explosive;
- Furniture;

- Non-folding baby carriages;
- Large bundles that will obstruct the aisle;
- Bundles or bags that are leaking;
- Weapons- No person shall carry on or about his person a handgun/firearm unless holstered and legally licensed to do so, club, explosive weapon, knife, knuckles, hoax bomb, chemical dispensing device, or dangerous weapon in a transit vehicle;
- A “handgun” which means any firearm that is designed, made, or is adapted to be fired with one hand, whether or not such handgun is concealed and carried pursuant to a concealed handgun license;
- A “knife” which means a knife with a blade over five inches long, and hand instrument designed to cut or stab another, a dagger, dirk, stiletto, bowie knife, sword, or spear.

15.0 Disorderly Conduct

No person shall commit any act or engage in any conduct constituting disorderly conduct in a vehicle. The term “disorderly conduct” includes the following:

- Abusive, indecent, profane, or vulgar language which by its very utterance tends to incite an immediate breach of the peace;
- A noxious and unreasonable odor created by chemical means.
- Abuse or threats to a person in an obviously offensive manner.
- Fighting with another.
- Discharge of a firearm.
- Display of a firearm or other deadly weapon in a manner calculated to alarm.

- The exposure of a person's anus or genitals which is reckless concerning others who may be present and who may be offended or alarmed by such act.
- An offensive gesture or display which tends to incite an immediate breach of the peace.
- Unsanitary health conditions and/or personal hygiene including but not limited to bodily fluids, open wounds and any types of blood borne pathogens may be grounds for ridership denial.

16.0 Drugs

No person shall possess or use any narcotics or drugs; offer to another person any narcotics or drugs; or possess any drug paraphernalia in a vehicle.

17.0 Food and Beverage

No food or beverage shall be consumed on the vehicles, except for those passengers who require food or beverages due to a health condition.

18.0 Intoxication

We will transport individuals who are too impaired to drive. However, we reserve the right to refuse service to any intoxicated person who displays disorderly conduct.

19.0 Loading and Unloading

Bus Operators are strictly prohibited from entering a home to assist passengers. The Bus Operators are responsible for the safe loading,

securing, and unloading of all passengers. If you need help beyond what the Bus Operators are allowed to perform, you should make arrangements for a companion to accompany and assist you.

20.0 Litter

No person shall dispose of, allow, or permit the disposal of litter in a vehicle.

21.0 Nuisances

Any unreasonably loud, disturbing, or unnecessary noise which causes material distress, discomfort, or injury to persons of ordinary sensibilities in a vehicle is hereby declared to be a nuisance.

22.0 Obscene Display or Distribution

No person shall intentionally or knowingly display or distribute an obscene photograph, drawing, or similar, visual representation, or other obscene material or reckless display or distribute such material when a person is present who will be offended or alarmed by the display or distribution.

23.0 Clothing and Shoes

No person shall enter or remain in a vehicle without appropriate clothing that does not properly cover the upper and lower portion of the body. No person shall enter or remain in the vehicle without shoes or sandals on both feet. Bus Operator reserves the right to refuse service to anyone not properly clothed.

24.0 Smoking

No person shall smoke on a vehicle.

25.0 Spitting

No person shall spit on or upon any vehicle.

26.0 Explanation of Rules Regarding us of Transit Services

THOUGHTS CONCERNING REASONABLE ACCOMMODATION AND JUDICIAL ENFORCEMENT

In general, the intention of the rules, regulations, procedures and guidelines concerning the use of the transit system is not to punish the passengers for failure to abide by these, but rather, to offer them a reasonable opportunity to comply with these in order to promote and secure a safe and orderly system where the rights of our ridership and staff are protected. With this in mind, the following topics will be addressed for clarification:

DISORDERLY CONDUCT: This conduct implies that reasonable public order is not being maintained. The words “immediate breach of the peace” is also significant. For example, abusive, indecent, profane, or vulgar language uttered on the bus does not necessarily constitute an immediate breach of the peace. Consider that many young people, especially some middle school age, talk to one another like that. A bus full of these passengers emitting vulgar language would not necessarily constitute immediate breach of the peace. If there were other passengers present who were obviously offered to the point of anger, then their language would constitute an immediate breach of the peace.

Consider, also threats to a person in an obviously offensive manner. Sometimes people say things because they need to release their feelings. They are all “hot” air and have no real intentions of offensive behavior. Unless a person is baiting you or passengers

have become clearly offensive or aggressive, ignoring this kind of behavior is probably most effective.

The fact that a person or passenger indicates with obscene sign language that you are “number one” does not indicate an immediate breach of the peace. When it is done with anger coupled with aggressive or offensive behavior toward you or a passenger, it could be considered an immediate breach of the peace.

Another example of disorderly conduct would be the display of a firearm or deadly weapon with the intent to strike fear into the minds of the observers. On the other hand, if a passenger were to unintentionally expose a legally concealed handgun and a Bus Operator was to observe it, this would not necessarily be an act of disorderly conduct.

INTOXICATION: Generally, when intoxication is mentioned, the first thing that comes to mind is the use of alcohol. Intoxication as applied here can also include the use of other drugs, and products, such as paints and aerosols. The point that must be remembered is we cannot simply claim, say, or tell a person that they are intoxicated. That is a medical condition to which we are not authorized or equipped to determine.

On the other hand, we can tell a person they appear to have had too much to drink. In addition, the key word is “consume”. Observed consumption of these items would be considered a violation. Here, in this passage as well as the remainder of this document, our intention is to deal with behavior, not the reason for the behavior.

LITTER: The intention of this guidance is meant for those people who intentionally deposit litter as defined; who purposely attempt to demonstrate that they are exempt from this transit regulation. It

is not meant for persons who unintentionally or absent-mindedly drop or leave item, especially infants and small children.

NUISANCES: Person, who by their behavior, produce such loud noises that they cause distress, discomfort, or injury to persons of ordinary sensibilities on transit property will be considered to have created a nuisance. Ordinary sensibility best explained here would mean that if one or two persons among many persons are the only ones who object to the sounds, then that would not be considered ordinary sensibility.

OBSCENE DISPLAY OR DISTRIBUTION: One of the key words here is “obscene” and how its meaning is determined. The other key words are “intentionally or knowingly display”. Obscene displays are those having a dominant theme taken as a whole which appeals to the prurient interest in sex, nudity, or excretions, and are patently offensive to prevailing standards in the adult community as a whole.

REFUSAL OF TRANSPORTION AND REMOVAL OF PASSENGERS: Sometimes the transit provider may find it necessary to deny transportation to a passenger who refuses to abide by the rules, regulations, procedures, or guidelines. When doing so, Bus Operators must not argue with passengers. They should politely inform passengers that their behavior or failure to comply is not acceptable. If the passenger does not comply, they should be informed that they are expected to comply with the rule or procedure in question. If the passenger still does not comply, they can be given a choice, both a negative and positive choice. The negative choice is that if they refuse to comply, they could be denied service. The positive choice is that if they select to comply, they will be allowed to ride. They should be given a reasonable opportunity to choose. If in the end passengers make the wrong

choice and refuse to comply, Bus Operators should request help from the dispatcher at their first opportunity. In these situations, VICTORIA TRANSIT employees should never argue with passengers, but always return the responsibility for compliance back to the passenger. A necessary action in all of these situations is to document the occurrence. A proper and complete report must be filed by the bus operator, operations supervisor, or other employee involved. We must have sufficient documentation to deal effectively with these passengers. When attempting to remove passengers from the vehicle, Bus Operators may request that the passengers leave the vehicle. Bus Operators shall seek assistance from an Operations Supervisor in removal of such passengers, as necessary. Once again, a complete and proper report of such passengers is to be accomplished or the barring of such passengers from riding our vehicles, when necessary, is to be successful. Any notification of long-term denial of service to passengers will be accomplished by the Transportation Operations Coordinator.

SHIRTS AND SHOES: The guideline is meant for those persons who are disabled to the point that they cannot wear a shirt or top. Some disabled or physically- challenged people who cannot control their body temperature and tend to overheat must sometimes remove their shirt to safely maintain their body temperature. When encountering this type of disability, transit employees should request politely that the person put on a top. If they reply they cannot because of a disability, we should respect their wishes whenever public decency will allow us to do so. The requirement for shoes on vehicles is intended for safety and health reasons.

SPITTING: The intention is for those who by spitting are attempting to create an immediate breach of the peace, not for those who absentmindedly.

27.0 Suspension Policy for Disruptive / Illegal Behavior:

GCRPC has established the following procedure to handle passengers who violate the Rider Rules of Conduct and/or other violations and circumstances.

- 1st Offense – GCRPC assigned staff will give the passenger a verbal warning and explanation of GCRPC policies and procedures
- 2nd Offense – GCRPC will deliver the passenger a written warning of the violation and the policies and procedures
- 3rd Offense – GCRPC will issue a certified letter referencing the violation and refusal of service. Refusal of service period will be determined by the Director of Transportation Services.

Passengers who demonstrate tendencies toward violent or destructive behavior through threats, verbal and/or physical behavior may have their transportation services suspended immediately at the discretion of the Executive Director and/or the Director of Transportation Services.

Passengers may appeal their suspensions or terminations by following the procedures outlined in the Appeals Process. The Executive Director and the Director of Transportation Services shall have the discretion to alter the penalty as dictated by circumstances.

28.0 Title VI Notice

Notice to Our Customers

Under Title VI of the Civil Rights Act of 1964, Individuals or organizations who believe they have been denied the benefits of, excluded from participation in, or subject to discrimination on the

grounds of race, color, or national origin by any Transportation Service that the Golden Crescent Regional Planning Commission provides can file a complaint to:

Attn: Title VI Civil Rights Officer/Director
Golden Crescent Regional Planning Commission
1908 N. Laurent, Suite 600
Victoria, Texas 77901

If Complainant is dissatisfied with the determination and/or resolution set forth by GCRPC, the same complaint may be submitted to the Texas Department of Transportation and/or the Federal Transit Administration (FTA) for investigation.

Attn: Public Transportation Coordinator
Texas Department of Transportation
1701 SPID, Corpus Christi, TX 78416

And/or

Federal Transit Administration Office of Civil Rights
East Building, 5 Floor-TCR
1200 New Jersey Ave., SE
Washington, DC 20590

Complaint Procedures and Forms can be obtained online by visiting our website at www.gcrpc.org or at the Victoria Transit/RTRANSIT Office at 1908 N. Laurent, Suite 115, Victoria, Texas 77901

Aviso A Clientes

Bajo el Título VI de La Ley de Derechos Civiles de 1964, Individuos u organizaciones que creen que han sido negados los beneficios de, excluidos de la participación en, o sujetos a discriminación por motivos de raza, color u origen nacional por cualquier servicio de transporte que ofrece la Golden Crescent Regional Comisión de Planificación pueden presentar una queja ante:

Atención: Azulejo VI Oficial
Golden Crescent Regional Comisión de Planificación (GCRPC)
1908 N. Laurent, Suite 600
Victoria, Texas 77901

Si el Querellante está satisfecho con la determinación y/o resolución de GCRPC, la misma queja puede presentarse al Departamento de Transporte de Tejas o la Administración Federal de Tránsito (FTA) para la investigación.

Atención: Coordinador de Transporte Público
Departamento de Transporte de Tejas
1701 SPID, Corpus Christi, TX 78416

Y/o

Oficina de la Administración Federal de Tránsito de los Derechos Civiles
Este Edificio, Piso 5-TCR
1200 New Jersey Ave., SE
Washington, DC 20590

Procedimientos de Queja y Formas pueden obtenerse en línea visitando Nuestro sitio web en www.gcrpc.org
O en la oficina de Tránsito de Victoria/RTRANSIT en

1908 N. Laurent, Suite 115, Victoria, Texas 77901

29.0 Travel Training

Travel Training is a free, one-on-one training for people who want to learn to use our bus system. The benefits of traveling on the bus are many:

- Increase independence
- Supports an active life-style
- Reduces traffic congestion
- Helps protect the environment
- Provides greater access to your community
- Benefits the local economy

Training includes:

- How to plan your trip
- Ride specific routes
- Read and understand route maps and schedules
- Get to and from our bus stop
- Use the lift to board, include those with wheelchairs or other mobility devices
- Locate and transfer to other buses
- Get service information

30.0 Ongoing Public Participation

Victoria Transit continually strives to improve its Para Transit Service. We need your feedback and welcome the participation of individuals with disabilities to serve on a committee or stakeholder group. Please contact the Transportation Program Manager for more information at 361-578-1587 extension 221.

31.0 To File a Complaint about Services

If you have a concern or complaint about any services we provide. Please call or write us, forms are available on-line or at our office. GCRPC prohibits discrimination based on disability and will comply with the Americans with Disabilities Act (ADA). We also prohibit discrimination based on race, color, or national origin (see Title VI information Section 26.0).

What to Expect from GCRPC’s Complaint Process?

GCRPC strives to address all complaints promptly usually within 72 hours. The complaint will be documented, investigated and a follow up phone call or written communication outlining our findings will be conducted. If the complaint is not resolved you may request in writing a formal hearing in which you can present your complaint. Your request must be in writing and presented within fifteen (15) days from our follow up call or written communication addressing our initial complaint. The hearing will be conducted within thirty (30) days following written receipt of your request for a hearing. The decision of the GCRPC Executive Director shall be final and shall be communicated in writing to the complainant within five days from the conclusion of the hearing. All Complaints will be handled in a confidential and professional manner.

Accessible Information

Victoria Transit strives to provide information to individuals with disabilities in accessible formats and technology, to enable users to obtain information and schedule service.

Victoria Transit provides:

- Information in large print.

- A website with schedule information: www.gcrpc.org
- Bilingual English/Spanish staff available.
- Staff are trained in the use of Texas Relay service (711), which enables persons with hearing or speech disabilities to communicate with Victoria Transit.

Please reference Section 10.0 ADA Reasonable Modification Policy in this guide for additional assistance.



Contact Us

Golden Crescent Regional Planning Commission
1908 N. Laurent, Suite 600
Victoria, Texas 77901
361-578-1587
361-578-8865
www.gcrpc.org

Equal Employment Opportunity Employer
