

ON-TIME PERFORMANCE IN ADA PARATRANSIT

THIS SERIES OF TOPIC GUIDES INCLUDES:

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- 4** Telephone Hold Time in ADA Paratransit
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A Series of
Topic Guides
for Transit
Agencies,
Riders, and
Advocates on
the Americans
with Disabilities
Act (ADA) and
Transportation

The series is available at <http://dredf.org/ADAtg>

TABLE OF CONTENTS

INTRODUCTION	5
SCHEDULING PRACTICES FOR ON-TIME PERFORMANCE	6
Using the One-Hour Scheduling Window Correctly	6
Scheduling to the Appointment or Desired Arrival Time	8
The Importance of a True Negotiation of Trip Times	9
Negotiated Time Versus Scheduled Time	10
PICKUPS, DROP-OFFS, WILL-CALLS: CONSIDER ALL ASPECTS OF ON-TIME PERFORMANCE	11
On-Time Pickups and the Pickup Window	11
The Pickup Window	11
Avoid Very Early As Well As Late Pickups	11
Reinforce the Pickup Window	12
Five-Minute Wait Time	13
On-Time Drop-offs and the Drop-off Window	13
Will-Calls	14
TRAVEL TIME AND MISSED TRIPS: CRITICAL ELEMENTS THAT AFFECT ON-TIME PERFORMANCE	14
Setting Travel Time Parameters Correctly	14
Travel Time	15
Missed Trips	16

(Table of Contents continues on next page)

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WHAT ELSE RIDERS AND ADVOCATES NEED TO KNOW	18
The Rider’s Role in Keeping Service On Time	18
Enforcement of Your ADA Rights	19
Other Resources	20
WHAT ELSE TRANSIT AGENCIES NEED TO KNOW	21
Planning for 100% On-Time Performance and Factors Outside Transit Agency Control	21
If Demand Is Increasing, Establish Dynamic Planning and Budgeting	22
Monitoring	22
Subscription Service	23
Don’t Misinterpret of the 50% Cap	23
Managing and Scheduling Subscription Trips	24
Per-Trip Payment in Contracting	24
OTHER OPERATIONAL PRACTICES THAT IMPACT ON-TIME PERFORMANCE	24
Managing the Number of Unscheduled Trips	24
Run Coverage	25
Vehicle Coverage	26
Back-Up Capacity	26
On-Time Pullouts	27
Reservations and Handling of Calls	27
Other Scheduling Issues	28
Dispatching	29
Training Vehicle Operators	30
Trip Confirmations and Callouts	30

(Table of Contents continues on next page)

Advanced Technologies	30
If Data Meet All Goals, But Riders Remain Very Discontent With On-Time Performance	31
Complaint Investigation	32
GENERAL RESOURCES FROM FTA	32
ENDNOTES	33

INTRODUCTION

On-time performance is one of the biggest challenges in ADA paratransit. Occasional late trips are inevitable, but the U.S. Department of Transportation (DOT) Americans with Disabilities Act (ADA) regulation³ regards as illegal capacity constraints, substantial numbers of:

- Significantly untimely pickups (as well as drop-offs or arrivals);
- Trip denials;
- Missed trips (that is, trips missed by the transit agency); or
- Trips with excessive lengths;

as well as any other operational pattern or practice that significantly limits the availability of service to people who are eligible for ADA paratransit.

Sometimes it is claimed that, to comply with the DOT ADA regulation, a transit agency must only achieve a particular percentage of its trips within a certain pickup window. In fact, attaining ADA compliance also requires consideration of *how* transit agencies schedule and dispatch trips, and whether their practices keep service on time or contribute to poor on-time performance.

This Topic Guide on On-Time Performance in ADA Paratransit⁴ first addresses scheduling practices that fundamentally affect on-time performance. The second section presents the many aspects of on-time performance, including pickups and drop-offs, and avoiding very early and late service. The next section addresses other critical elements that affect on-time performance. Subsequent sections address what else riders and advocates need to know, including the rider's role in keeping service on time, and what else transit agencies need to know, including how to avoid misinterpreting the 50% subscription service cap. Lastly, other successful operational practices to keep ADA paratransit service running on time are discussed.

The Topic Guide Series on ADA Transportation is for transit agencies, public transit riders, and disability advocates. The Topic Guides bring together the requirements of the ADA and the DOT ADA regulation, Federal Transit Administration (FTA) determinations, and best operational practices on each topic. The Federal Transit Administration enforces the ADA in the area of publicly funded transit. Readers who wish to understand the most authoritative and up-to-date interpretations of the ADA transportation requirements may wish to check both the text and endnotes of this Topic Guide to find specific FTA determinations on particular paratransit on-time performance issues.

The determinations FTA makes in its ADA compliance reviews indicate key transit agency requirements and responsibilities that are important for transit agencies to implement. In each ADA compliance review, FTA *Findings* are the basis for corrective actions by the transit agency. FTA *Recommendations* identify one possible way to address the Findings. Many of the reviewed agencies have implemented service improvements since the time of their reviews. The FTA ADA compliance reviews may be found in full at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html, or go to www.fta.dot.gov/ada and select FTA ADA Compliance / ADA Compliance Review Final Reports.

FTA determinations in ADA compliance reviews indicate key transit agency requirements and responsibilities.

The Topic Guide series on ADA Transportation also draws information from many other sources, including DOT Disability Law Guidance; FTA ADA Letters of Finding and Bulletins; Transportation Research Board and National Council on Disability publications; National Transit Institute courses; Easter Seals Project ACTION publications and Distance Learning Sessions; American Public Transportation Association draft Recommended Practices; and the recommendations of nationally recognized ADA paratransit operators, planners, and researchers on the best operational practices for implementing ADA requirements.

SCHEDULING PRACTICES FOR ON-TIME PERFORMANCE

USING THE ONE-HOUR SCHEDULING WINDOW CORRECTLY

The ADA allows a transit agency to negotiate pickup times with an eligible rider, but the transit agency cannot require him or her to schedule a trip more than one hour before or after his or her desired departure time. This is called the scheduling or negotiation “window” and is the first of several types of windows used in ADA paratransit.

It is important for transit agencies to consider the overall travel needs of riders when implementing the one-hour scheduling window. For example, if a rider indicates that she needs a ride home from work, gets off work at 5 p.m. and requests a 5:15 p.m. pickup, the appropriate one-hour scheduling window would be from 5:15 p.m. to 6:15 p.m. It is not consistent with the DOT ADA regulation to offer only pickup times that would require her to leave work early. Similarly, if a rider indicates that he needs to be at work by 9 a.m., it would not be correct to offer a pickup time that would require him to arrive at work late.

FTA has addressed the importance of using the one-hour scheduling window correctly. For example, in an ADA compliance review, FTA stated:

The *ADA Paratransit Handbook*, developed by FTA to provide guidance to transit systems in designing ADA complementary paratransit services, indicates that “suggesting a 4 p.m. pickup knowing that the person works until 5 p.m. would not be in keeping with the concept of comparable service.” Similarly, offering a 9 a.m. pickup if a person requests an 8 a.m. ride to get to work by 9 [a.m.] would not be in keeping with the concept of comparable service.⁵

FTA addressed the importance of using the one-hour window correctly.

To implement the one-hour window correctly, it should be applied as follows:

- When there is a latest arrival time (for example, a doctor’s appointment), the scheduling window should be used on the early side to ensure that the rider gets to the appointment on time.
- When there is an earliest departure time on a return trip (for example, a time when the rider gets off work and so cannot leave before then), the scheduling window should be from that time to one hour after.

It is acceptable to use the one-hour scheduling window on both sides of a requested pickup time (+/- one hour) when riders indicate that their travel plans are not constrained by appointments or earliest departure times.

Most scheduling software programs include trip reservations and scheduling features that facilitate the correct use of the one-hour scheduling window. For example, most allow reservationists to indicate whether the requested pickup time is the “earliest time” that the rider can depart. They also allow trips to be booked based on the desired arrival or stated appointment time.

SCHEDULING TO THE APPOINTMENT OR DESIRED ARRIVAL TIME

FTA has found repeatedly in ADA compliance reviews that a rider's needed arrival or appointment time must be taken into account by transit agencies in scheduling the ride.⁶ FTA also stated that this is important for trips "with an appointment time such as trips to work, school, medical appointments, recreational events, etc."⁷ For example, in an ADA compliance review, FTA stated:

[The transit agency] procedure of applying a full two-hour scheduling window to requested pickup times and not allowing riders to schedule trips based on appointment/desired arrival times or departure times from an appointment appears to make responsive scheduling of trips very difficult. Scheduling trips in a manner that is unresponsive to customers' needs could be discouraging some riders from using the service and could be considered a practice that limits the use of the service.⁸

A rider's appointment time must be taken into account in scheduling the ride.

Thus, not using the appointment time when scheduling trips, and requiring that riders state a desired pickup time instead, has been found to pose significant difficulties for riders. Moreover, if it results in very early pickups or very early or late drop-offs, it can be an illegal capacity constraint. The FTA ADA compliance review gave this graphic illustration:

For example, a rider who needs to be at work at 9 a.m. might reasonably request a pickup time of 8 a.m. for a trip of average or short length. If ... schedulers applied the full two-hour scheduling window, though, a pickup time of between 7 a.m. and 9 a.m. could be offered. Further, with a 60-minute maximum ride time policy, it is possible that the rider could be offered a 9 a.m. pickup, ride for 60 minutes, and not arrive until 10 a.m. So, to guarantee a 9 a.m. arrival, a rider would have to request a pickup at 7 a.m. (allowing one hour scheduling flexibility plus 60 minutes ride time). If 7 a.m. were requested, though, a pickup time as early as 6 a.m. could then be offered. ... In this example, [the] scheduling procedures could result in the customer arriving one hour late or two hours early for work, or a medical or other appointment.⁹

The best way to ensure that riders get to appointments on time is to book and schedule trips based on the stated appointment or desired arrival time. Most software scheduling programs accommodate this by allowing the user to enter an appointment time, indicate that this is the

“latest time” that the drop-off can be made, and then letting the system generate a pickup time that is appropriate for the trip distance.

THE IMPORTANCE OF A TRUE NEGOTIATION OF TRIP TIMES

While the DOT ADA regulation allows paratransit trips to be scheduled within an hour of the requested time, it also states that trip times must be negotiated with riders. FTA has questioned whether it is consistent with the ADA for a transit agency to offer only one pickup time, even if it is within an hour of the requested time, because such an offer is not a negotiation. FTA pointed out that, in most cases, “Only one pickup time is generated and offered to callers [by the transit agency] for each trip requested.” FTA recommended that the transit agency procedures should “address appropriate negotiation of trip times that respond to stated rider needs.”¹⁰

A negotiation suggestion for transit agencies is to request information about riders’ time constraints as part of the booking process. For going trips, that is most often the “latest arrival time” (that is, appointment time). It could also be an earliest arrival time—for example, the earliest that a destination or service opens its doors to riders. For return trips, it would typically be whether there is an “earliest departure time” (such as when the rider gets off work). Once these important time constraints are known, reservationists can then search for trip options that meet these needs and are within the one-hour scheduling window.

It is important to balance trip negotiation with system efficiency. An efficient trip offer might be found that meets the rider’s time constraints and is within the one-hour window. However, it might not be the time that the rider wants. For example, a rider asks for a 5 p.m. return pickup, and says this is the earliest she can depart. The best match, in terms of efficiently grouping the trip, might be a 5:30 pickup, but the rider says that she would prefer something closer to 5. The system might be able to put the trip on another vehicle closer to 5 p.m., but this might not match well with existing schedules because it would necessitate bringing a second vehicle from another area and incurring a lot of deadhead miles. If this other option adds significant expense, it might be appropriate to tell the rider that the 5:30 pickup is the best option available. This represents a negotiation because it is both within the one-hour window and meets the rider’s earliest departure time constraints.

Some transit systems instruct reservation agents to interpret the efficiency of the available scheduling options. Some software systems can be programmed to list the trip options in the order of greatest efficiency. Reservationists might then be instructed to select and offer the most efficient option, or one of the top two or three most efficient options, as long as the basic trip constraints and regulatory requirements are met.

NEGOTIATED TIME VERSUS SCHEDULED TIME

Sometimes there is a difference between the negotiated time given to the rider on the telephone, and the scheduled time according to the transit agency, which may have made changes without notice to the rider. Changes sometimes occur because the paratransit service is using a computerized system that changes the time to make the driver's printed schedule conform to certain parameters. For example, the negotiated time may be 7:15, but the vehicle operator is told 7:30. If the rider is not informed about even this relatively small change, he, expecting a 30-minute pickup window (-15/+15), goes outside to wait for the vehicle at 7:00 and, at 7:30, assumes the vehicle isn't coming and goes back inside. Meanwhile, the vehicle operator expects that this pickup is on time between 7:15 and 7:45. When the vehicle arrives at 7:35, the driver records the rider as a no-show, when, in fact, he had been present according to the information he was given.

The transit agency must notify the rider of any pickup time changes.

For these reasons, FTA has made many determinations that the negotiated time given to the rider is very important and needs to be protected in the system.¹¹ The transit agency must notify the rider of any changes to ensure that all parties—the transit system, the vehicle operator, and the rider—are informed.¹² If transit agencies wish to make changes to any original negotiated times so that trips fit better on final schedules, riders should be called and new times negotiated. If a rider cannot be reached to renegotiate an original pickup time, the original time should be maintained and not changed. Per the ADA scheduling window, any changes may not be more than one hour from the rider's requested time.

The agreed-upon time should appear on the driver's manifest. Several FTA ADA compliance reviews made this finding, stating that transit agencies should ensure that whatever time the customer understands as the negotiated, agreed-upon time needs to appear on the driver's manifest, not some other time that may be the result of computer or staff changes.¹³ A best practice is for transit agency manifests to also display the pickup window and the appointment time (if any). The manifest should also display any specific rider parameters such as "can't get picked up any later than" (because the rider is going to a movie) or "don't come any earlier than" (because the rider is still working), so the vehicle operator will know what the rider is expecting.¹⁴

PICKUPS, DROP-OFFS, WILL-CALLS: CONSIDER ALL ASPECTS OF ON-TIME PERFORMANCE

Providing timely paratransit service is more than ensuring that pickups are on time. It also means delivering riders to their destinations in a timely manner. And poor performance is not just being late, but also includes very early pickups or drop-offs.¹⁵

ON-TIME PICKUPS AND THE PICKUP WINDOW

The Pickup Window

It is current practice in the paratransit industry to view an on-time pickup as a vehicle arrival within an on-time window established by the transit agency (alternatively termed the pickup window or the “be ready time”). This is the next important “window” in ADA paratransit. The pickup window serves to distinguish between an on-time pickup and a late or early one; it also defines the period during which the rider is expected to be ready and waiting for the vehicle to arrive.

Large transit agencies frequently use 20 to 30 minutes as their on-time pickup window. For example, Pace ADA Paratransit Service in Chicago has established a 20-minute on-time window, from the scheduled pickup time to 20 minutes after the scheduled time (0/+20).¹⁶ The Maryland Transit Administration in Baltimore regards a vehicle as on time if it arrives by 30 minutes after the scheduled pickup (0/+30).¹⁷ Another variation on the 30-minute pickup window is Miami-Dade Transit, where the vehicle can arrive 10 minutes before or 20 minutes after the scheduled pickup (-10/+20).¹⁸

The pickup window should not be longer than 30 minutes. A pickup window of 30 minutes or less is standard in the industry. FTA has accepted pickup windows up to that length, and found 60 minutes to be too long.¹⁹

The pickup must occur during the window, not earlier or later, to be considered on time.

Avoid Very Early As Well As Late Pickups

The pickup must occur during the window, not earlier or later, to be considered on time. In some locations, vehicles frequently arrive well before the announced pickup window, and if

passengers are not ready, they are given a no-show. This practice is not consistent with the ADA. If a passenger rejects such a ride, the transit agency should consider it a missed trip, unless the vehicle waits until, or another vehicle returns for the rider during, the pre-arranged pickup window. It is a best practice, if the vehicle arrives early, for the driver to park around the corner, so riders do not feel pressured to leave early.

This is because early pickups—before the pickup window—impose very real difficulties on many riders. One difficulty is that riders have no way of knowing to be ready. Also, though some riders may not mind leaving early for certain trips such as shopping, other trips, including medical and work trips, are time-specific. And early departures to some destinations may result in drop-offs earlier than riders should arrive, and may even be dangerous, such as arriving at work on cold winter days before the building is open.

FTA has expressed concern about too many early pickups.

FTA has expressed concern in many ADA compliance reviews that transit agencies have too many early pickups, and that some transit agencies appear to be pressuring riders to accept early pickups before the pickup window, sometimes considerably before.²⁰ For example, one review stated, “[I]t is not acceptable to pressure customers into accepting early pickups when they are not prepared or do not wish to board.” Another review recommended, “[The transit agency] should instruct or reinstruct its carriers that drivers are not to request passengers to board the ... vehicle before the beginning of the pick-up window.”

Reinforce the Pickup Window

It is important to reinforce the pickup window concept with riders, drivers, dispatchers, and reservationists. Riders may otherwise not understand or remember the window, and think the vehicle is late when it is not. A good time to do this is when the rider makes the reservation. When the reservationist confirms the final trip information, instead of saying: “We will pick you up at 9 o’clock,” if the transit agency has a zero – thirty (0/+30) window, for example, the reservationist could instead say, “We will pick you up between 9 and 9:30 a.m.” The result is that, over time, riders will become more educated about the pickup window. Many FTA ADA compliance reviews include findings about the importance of reinforcing the pickup window with riders each time they make a reservation.²¹

Five-Minute Wait Time

Riders need to be ready throughout the pickup window. Typically, transit agencies establish a five-minute wait time in order to designate a clear limit on how long the vehicle will wait for the rider at pickup.

FTA has determined that the five minutes may not begin until the start of the pickup window.

FTA has determined that the five minutes may not begin until the start of the pickup window.²² If a vehicle arrives early, the vehicle operator (driver) should wait until the window plus five minutes. Dispatchers should consider this before approving any no-shows. Drivers arriving and leaving early without dispatcher approval, or dispatchers not checking the arrival and wait times before authorizing no-shows, are poor operational practices that can lead to results inconsistent with the ADA.

More information on *No-Shows in ADA Paratransit*, which is the subject of another Topic Guide, is available at <http://dredf.org/ADAtg>.

ON-TIME DROP-OFFS AND THE DROP-OFF WINDOW

For many trips, an on-time drop-off is as important, or more important, than an on-time pickup. FTA has been clear that timely drop-offs are an important part of on-time performance. A letter from the FTA Office of Civil Rights on October 27, 2003, stated:

Just as substantial numbers of untimely pickups limit the utility and, therefore, availability of service to people with disabilities, so do a substantial number of untimely arrivals. For many passenger trips, the timeliness of the drop-off is more critical to the utility of the service than the timeliness of the pickup. Such trips are those with an appointment time such as trips to work, school, medical appointments, recreational events, etc. Substantial numbers of significantly late arrivals for appointments can limit the utility of the service to customers and would constitute a capacity constraint.²³

A number of other FTA ADA compliance reviews found problematic patterns of late arrivals.²⁴

In a similar vein, early drop-offs at a destination should not be earlier than one-half hour.²⁵ Transit agencies should also establish a window for timely drop-offs (the “drop-off window”).²⁶ Since early drop-offs should not be earlier than one-half hour, the window should not exceed “from thirty minutes before the appointment time, to the appointment time (-30/0).”

Early drop-offs should not be earlier than one-half hour.

WILL-CALLS

Will-calls are typically return trips without a specific scheduled time; instead, the riders call in when they are ready to return.

Will-calls can provide significant rider benefits for a limited number of trips, when the rider really does not know the return time. In some medical situations, will-calls are vital, and it is a good practice for a transit agency to make them available. Yet they are workable only if limited in number, particularly during peak operating times. A large number of will-calls at peak operating times can overburden a system and make it difficult to deliver service on time.²⁷

Will-calls are not required by the ADA, but if a transit agency allows them, it is a good practice to establish a window for will-call trip pickups (also called the will-call response time) so riders know how long they may need to wait if they book a will-call. A typical and reasonable policy would be no more than 60 minutes (0/+60).

Transit agencies should ensure that riders know the implications if they ask for will-call return trips rather than scheduled return rides. Sometimes riders complain that their will-call pickups are an hour late without realizing that this is the transit agency standard for will-calls.

TRAVEL TIME AND MISSED TRIPS: CRITICAL ELEMENTS THAT AFFECT ON-TIME PERFORMANCE

SETTING TRAVEL TIME PARAMETERS CORRECTLY

As transit agencies have gained more experience scheduling to appointment times, they have found that it is vital to have travel time parameters set correctly in the scheduling system.²⁸ When an appointment time is used, the scheduling system considers the length of the trip and the allowed travel time settings to generate a pickup time. If the travel time parameters are

not set correctly, the scheduling system can offer pickup times that are too early or too late to get riders to appointments in a timely way.

Use of a single, global travel time setting can result in very early drop-offs and circuitous routing.²⁹ For example, if the only travel time setting is that trips cannot be longer than 90 minutes, the scheduling system might always allow 90 minutes of travel time, regardless of the actual length of the trip. For trips of only a few miles that should take no more than 30 minutes even with shared rides, riders might be given pickup times that are 90 minutes before their stated appointment times. The result may be arrivals at appointments one hour early. Or, with this much extra time allowed for travel, the scheduling system may create circuitous tours with excessively long ride times, which is disallowed by the ADA. [Also see *Travel Time*, which explains how FTA measures travel time for ADA compliance, on p. 15 below.]

A graduated travel time parameter setting is best, if that is allowed in the automated system. For example, depending on conditions in one's location, one might set approximately 30 minutes for trips under 3 miles, 45 minutes for trips that are 3 to 5 miles, 60 minutes for trips that are 5 to 7 miles, 75 minutes for trips that are 7 to 10 miles, and so forth. Most advanced scheduling systems allow setting of maximum travel time parameters based on direct trip distance or direct trip time. Transit systems should carefully review and refine these settings to ensure that the scheduling system is generating pickup times properly.

TRAVEL TIME

An issue closely related to paratransit timeliness is trip length, also termed travel time or ride time. Transit agencies should note that travel time is a different performance measure and must be monitored separately from on-time performance.

Travel times need to be estimated correctly to set pickup times in a way that ensures on-time performance [also see *Setting Travel Time Parameters Correctly* above, p. 14]. Otherwise, too-long travel times will contribute to late arrivals. Also, a substantial number of trips with excessive lengths is a prohibited ADA capacity constraint.

What is an excessive length? Compare it to the bus, including time to go to and from the stops, and wait for the vehicle.

In some locations, riders and advocates report very long travel times, and frequently ask how long is too long—what is an excessive length? The approach increasingly used in the transit industry, which is consistent with FTA determinations in several ADA compliance reviews and

Letters of Finding,³⁰ is to make a comparison to the fixed route bus or train system.³¹ If a paratransit ride takes much longer than the same ride on the fixed route system—including the additional time that would be needed on the fixed route system to go to and wait for the bus or train, and to go from the final bus or train stop to the destination—that may be too long. For example, if the total fixed route time is 60 minutes (including the time on each end of the ride to go to and from the bus or train stops, and to wait for the bus or train), a paratransit trip that is more than 15 or 20 minutes longer might be considered excessive. A substantial number of such trips would be an illegal capacity constraint under the ADA. Transit agencies should monitor trip length and regularly evaluate travel times.

There is a small minority of situations when this approach may not work, such as when there is no way to make the trip by bus, because the service area is not limited to corridors around the bus routes.³² In such cases, it may make sense to set paratransit ride times as multiples of direct auto ride time. For example, in Boston, where the service area is not limited to corridors, the transit agency uses a standard of “no more than twice the direct auto ride time” where there is no reasonable comparison on the bus. This should not be confused with twice the fixed route time, which is not an appropriate practice. Another example is when the only way to make the trip is exclusively by train (rail), which can have regional ride times that paratransit can’t reasonably match. In this case, the Boston example still provides an appropriate rule. However, these exceptions apply only to a small number of trips. For the overwhelming majority of ADA paratransit rides, a comparison to the fixed route system is the best way to assess whether trip length complies with the ADA.

FTA has made many determinations related to travel time, including findings that showed:

- A significant number of rides were too long, using the fixed route comparison standard.³³
- A transit agency travel time standard was deficient and needed to be changed.³⁴
- Transit agencies’ monitoring of travel time was deficient.³⁵
- Too-long travel times on group trips, particularly for riders picked up first in the morning or dropped off last in the afternoon.³⁶

MISSED TRIPS

Although substantial numbers of missed trips constitute an illegal capacity constraint under the ADA, there is a great deal of inconsistency among transit agencies regarding the definition of missed trips. Some transit systems define a missed trip as one where the vehicle arrives very late; for example, an hour after the scheduled time. Others don’t count missed trips separately from no-shows or cancellations, or code misses as “late cancels” or “cancels at the door.” None

of these are good operational practices, particularly given the legal significance the ADA accords missed trips.

A best practice is to consider a trip missed by the transit agency if the vehicle arrives outside of the pickup window and the rider does not take it. For example, for a transit agency with a pickup window from the scheduled time up to 30 minutes after the scheduled time (a 0/+30 window), if the vehicle arrives 35 minutes after the scheduled pickup time (that is, five minutes after the end of the 30-minute window), and the rider is not there or decides not to take the trip, it should be coded as a missed trip by the transit agency. Similarly, if a vehicle arrives early, before the beginning of the pickup window, the rider does not board, and the vehicle departs, that should also be coded as a transit agency missed trip. The one possible exception is if the vehicle arrives early and the driver would otherwise wait until the scheduled pickup time, but the rider indicates that she or he does not intend to make the trip even if the driver were to wait until the scheduled time. This circumstance can be considered a cancellation at the door. If the vehicle arrives late or early and the rider elects to take the trip, it is considered a late pickup or early pickup.

Consider a trip missed by the transit agency if the vehicle arrived outside the pickup window and the rider did not take it.

Dispatchers need to code these trips accurately. A best practice is for dispatchers to be involved each time a vehicle arrives at a location and the rider is not there or decides not to make the trip. Before giving authorization, dispatchers should compare the vehicle arrival time to the scheduled pickup time and the pickup window, to ensure that the vehicle arrived and waited the appropriate amount of time. If Automatic Vehicle Locator (AVL) technology is used, dispatchers should also check the vehicle location to make sure it is at the scheduled location. If AVL is not used, dispatchers should ask drivers to describe the location to be sure it is correct, and should include the description in trip notes, in case a no-show is later questioned. If it is part of the approved procedure, dispatchers should attempt to contact the rider, using any telephone number(s) in the trip record. The dispatcher should then code the trip appropriately. It is important that dispatchers keep detailed notes, or enter detailed notes into the software system, documenting why they coded the trip as they did. It is also important that dispatchers understand the ADA no-show requirements. See the Topic Guide on *No-Shows in ADA Paratransit*, available at <http://dredf.org/ADAtg>.

The category of missed trips also includes trips never served because of transit agency miscommunications or reservations/scheduling errors.³⁷

FTA ADA compliance reviews have found a variety of problems with missed trips, including:

- Lack of a definition, standard, and/or monitoring of missed trips³⁸
- Too many missed trips³⁹
- Incorrect classification or coding of missed trips, which can mask significant problems⁴⁰

WHAT ELSE RIDERS AND ADVOCATES NEED TO KNOW

THE RIDER'S ROLE IN KEEPING SERVICE ON TIME

Good on-time performance in ADA paratransit requires actions by riders as well as transit agencies.

Be ready to leave throughout the pickup window.

- Cancel: Call to cancel if you won't be taking a trip, as soon as you can.
- Pickup Window: Be aware that most ADA paratransit systems use a pickup window lasting up to 30 minutes, depending on the transit agency. Your ride is not required to come at a particular point in time. It is allowed to come at any time during this pickup window. Be sure to confirm the pickup window when you make your reservation.
- Be Ready: Be ready to leave throughout the pickup window. Delays in boarding can throw off the rest of the schedule and cause all subsequent pickups and drop-offs to be late.
- Shared Ride: Be aware that, in many cities, paratransit is generally a shared-ride experience. When a ride is shared, the vehicle will not necessarily take a direct route to your destination.

FTA underscored this last point in a Letter of Finding sent to a rider in December 2008 that said "While we sympathize with the inconvenience you experience due to trip length, we remind you that ADA paratransit services are a shared-ride public transportation service. The appropriate measure of a trip length is that of a comparable fixed route [such as riding the bus], not a taxi or other direct means of travel."⁴¹

Riders, advocates, and transit agencies should all work to ensure that the best practices in on-time performance (many of which are described in this Topic Guide) are implemented. Riders

are an important source of information about service quality and can help transit agencies with service monitoring efforts. And as the National Council on Disability showed, disability advocates can play an important role in improving the performance of their transit agencies.⁴²

ENFORCEMENT OF YOUR ADA RIGHTS

If you think your transit agency is not in compliance with the ADA, there are several avenues available for enforcement. You may pursue them in any order; you are not required to use them in the order listed below.

1. File a local complaint

You can file a complaint with your local transit agency and/or otherwise communicate with local agency staff. Transit agencies are required to have procedures to receive, resolve, maintain records of, and report on complaints.⁴³ It is best to file the complaint quickly, as soon as possible after the problem, and keep a copy of it. Include as many details as possible (who, what, when, where, and so on). Find the transit agency Customer Service department or ADA Coordinator to learn how to submit the complaint. Transit agencies usually have one or more of the following options for filing complaints: by e-mail, through their websites, by telephone, and/or by postal mail. If the issue remains unresolved after allowing a reasonable amount of time for a response, you can file a complaint with the Federal Transit Administration in Washington D.C. and show your local complaint records [also see *File an ADA complaint in Washington D.C.* below, p. 20].

2. Engage in local advocacy

You can also engage in a variety of efforts to advocate for changes by your local transit agency.

You may be able to obtain assistance from local, state, and national disability rights organizations, including:

- Your state's Protection and Advocacy Agency, which you can find by going to <http://ndrn.org/> and scrolling down to the "Get help in your state" section, or by calling 202/408-9514 (or by TTY, 202/408-9521).
- Your local center for independent living (CIL), which you can find by going to www.ilru.org/html/publications/directory/index.html or calling 713/520-0232 (Voice/TTY). You can also find CILs by going to www.ncil.org/directory.html.

In some cities, the disability community and the transit agency have succeeded in building a collaborative relationship in which they work together to improve transit service for people with disabilities.

3. File an ADA complaint in Washington, D.C.

You can file a complaint with the Office of Civil Rights of the Federal Transit Administration (FTA) in Washington, D.C., by:

- Filling out and sending the Rider Complaint Form at www.fta.dot.gov/civilrights/ada/civil_rights_3889.html
- Going to the FTA ADA website at www.fta.dot.gov/ada and selecting ADA Technical Assistance / File an ADA Complaint with the FTA
- Sending a complete letter to:

Director
FTA Office of Civil Rights
East Building – 5th Floor, TCR
1200 New Jersey Ave. SE
Washington, D.C. 20590

Include as many details as possible (who, what, when, where, and so forth), including a record of ongoing ADA violations you believe have occurred. As the FTA Office of Civil Rights states on the Rider Complaint Form:

You should include specific details such as names, dates, times, route numbers, witnesses, and any other information that would assist us in our investigation of your allegations. Please also provide any other documentation that is relevant to this complaint.⁴⁴

4. File a lawsuit

The other method of enforcing the ADA is to file a lawsuit.

OTHER RESOURCES

You will find many other resources on the FTA ADA website at www.fta.dot.gov/ada. You may also contact the FTA Office of Civil Rights by e-mail at FTA.ADAAssistance@dot.gov or by telephone at 202/366-4018 or 888/446-4511 (or by TTY, 800/877-8339).

In addition to providing technical assistance via telephone and e-mail, the FTA Office of Civil Rights conducts ADA compliance reviews of several transit agencies every year. These reviews are posted on the FTA ADA website at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Additional resources may be available from a variety of local, state, and national disability rights organizations.

WHAT ELSE TRANSIT AGENCIES NEED TO KNOW

PLANNING FOR 100 PERCENT ON-TIME PERFORMANCE AND FACTORS OUTSIDE TRANSIT AGENCY CONTROL

FTA has indicated that the ultimate goal should be to perform all trips on time.⁴⁵ As with trip denials, FTA has determined that transit agencies should not be *planning* to have a certain percentage of trips that are not on time. Consequently, systems should not have policies that cause trips to be late, such as scheduling trips too tightly because there is not adequate capacity to schedule them to be on time (that is, enough drivers and/or vehicles), or not having enough back-up vehicles or drivers to cover likely absences and in-service problems. The system should be designed to ensure that all service will be provided in a timely way.⁴⁶ In ADA compliance reviews, FTA has expressed concern that particular transit agencies don't have sufficient capacity to serve all trips on time.⁴⁷

FTA expressed concern when transit agencies don't have sufficient capacity to serve all trips on time.

Because there will inevitably be operational issues beyond transit agency control (due, for example, to unanticipated congestion or road construction, or poor weather), the reality will likely be something less than 100 percent on-time. Therefore it is acceptable to have a minimum required level of performance (such as 92 percent or 95 percent), but the goal should still be 100 percent.

ADA paratransit service contracts usually include a minimum on-time performance standard (for example, 92 percent) or an acceptable range (for example, 92 to 95 percent). Below 92 percent there may be penalties, and above 95 percent there may be incentives. If everything is going well in a particular month and there aren't many unexpected operational problems, contractors may succeed in performing at 96 percent and receive a bonus. Or due to weather and traffic issues in other months, the contractor may operate at 92 percent, the lower end of the acceptable range, so neither penalties nor incentives are applied. But if the contractor operates at only 90 percent one month, outside the range set by the transit agency, a penalty is then applied. The reasons for the poor on-time performance can vary greatly—it could be a lack of drivers that results in run closures and unscheduled trips, which should be addressed by hiring more drivers [also see *Managing the Number of Unscheduled Trips*, p. 24 below, and *Run Coverage*, p. 25 below]. Or it could be a need for better scheduling and/or dispatching. It may require adding capacity—that is, more reservationists and phone lines [also see *Reservations and Handling of Calls* below, p. 27], or more drivers and vehicles—but not necessarily.

Assessing penalties is one of the transit agency tools for requiring the contractor to improve, wherever needed.

IF DEMAND IS INCREASING, ESTABLISH DYNAMIC PLANNING AND BUDGETING

Transit agencies should track demand for service on a monthly basis, evaluate operating practices and performance, and then re-evaluate and reset the budget to match the demand and to keep performance at an acceptable level. This is called dynamic planning and budgeting, also known as “throughout the year” budgeting.

A common problem is the inability to adjust staffing levels or increase vehicle hours to increase capacity, or to obtain contract modifications with service providers in a timely way. Typically, systems will see a slow deterioration in service quality as demand increases. But if they are not able to obtain increases in staffing capacity or contract modifications, then they may face that deterioration for an extended period before obtaining an increase in the allowed service levels and budget. It is best to avoid having those infrequent step increases. Rather, transit agencies should respond to demand and to operational issues throughout the year.⁴⁸ Agencies should conduct, at a minimum, mid-year reviews and corrections. Quarterly reviews of operation, contract, and budget are even better. Also, decision makers should be educated that this kind of dynamic budgeting and planning process is necessary, because of the dynamic nature of ADA paratransit demand.

MONITORING

Monitoring should go well beyond reliance on contractor reports.

Careful, thorough monitoring of paratransit is critical, particularly when the service is contracted out to private providers. Monitoring should go well beyond reliance on contractor reports—effective monitoring is often accomplished by stationing transit employees on site in sufficient numbers to monitor contractor operations. Transit agencies should set standards for on-time pickups and drop-offs, and for what is too early as well as what is late. They should monitor service for compliance with these standards, both on paper and by actually spot-checking pickup and arrival times at destinations.

Transit agencies should measure and respond when documentation and data indicate that their service does not meet their standards. They should also be aware that on-time

performance is more than just a percentage, such as 90 percent or 95 percent. ADA compliance is equally about operating policies and practices that cause late or very early trips.

Monitoring should include not only establishing a percent rate for on-time performance, but also tracking all the practices described in this Topic Guide, including the number of unscheduled trips, the number of runs that must be closed for lack of drivers, the number of late pullouts, and the various reservations, scheduling, and dispatching practices described below.

FTA ADA compliance reviews have included many important findings regarding deficiencies in transit agency monitoring of ADA paratransit.⁴⁹

[Also see *Travel Time*, p. 15 above and *Missed Trips*, p. 16 above, and *Per-Trip Payment in Contracting*, p. 24 below, *Reservations and Handling of Calls*, p.27 below, *Other Scheduling Issues*, p. 28 below, *Dispatching*, p. 29 below, and *Advanced Technologies*, p. 30 below.]

SUBSCRIPTION SERVICE

Understanding the ADA regulation regarding subscription trips (that is, repeat trips to and from the same locations at the same times), and carefully managing and scheduling such trips, can improve on-time performance as well as service productivity and efficiency.

Don't Misinterpret of the 50% Cap

Transit agencies with no denials may provide as much subscription service as they wish.

Many transit agencies have misinterpreted the DOT ADA regulation as capping subscription service at 50% of paratransit capacity, regardless of the circumstances. The cap only applies when there is no non-subscription capacity; that is, when there are capacity constraints.⁵⁰ Transit agencies with no trip denials may provide as much subscription service as they wish.⁵¹

Thus, many transit agencies have unnecessarily limited subscription service and may increase how much they provide. Such an increase can improve on-time performance and service productivity, as well as offering significant benefits for riders.

Managing and Scheduling Subscription Trips

Negotiate, group, and schedule subscription trips on productive tours. Distribute subscription trips to runs in a way that creates an efficient base for scheduling other trips around. Some systems also keep subscription tours with the same driver each day as a way to increase on-time performance and productivity. As drivers become familiar with riders and these set tours, they are able to perform them very efficiently.⁵²

Once efficient schedules are created, it is important not to disrupt them with excessive add-ons on the day of service. While some add-ons will be inevitable as same-day service issues are addressed, subscription runs—particularly large group runs—tend to be tightly scheduled. Inserting add-ons to these runs can cause significant disruptions to the run and result in lowered on-time performance.

PER-TRIP PAYMENT IN CONTRACTING

If a transit system pays the paratransit contractor on a per-trip basis for the number of trips performed, and simultaneously gives scheduling responsibility to the same contractor, that contractor may try to perform more trips than it can provide properly.⁵³ If a pay-per-trip contract is used, transit agencies need to be extremely thorough in monitoring service quality, particularly on-time performance and ride times. Service performance standards, penalties, and incentives need to be significant and thorough, and need to be consistently monitored and enforced.

OTHER OPERATIONAL PRACTICES THAT IMPACT ON-TIME PERFORMANCE

MANAGING THE NUMBER OF UNSCHEDULED TRIPS

If there are unscheduled trips, they should be few in number.

Unscheduled trips are trips that have not been scheduled on a regular run and that remain on a list at the start of the service day, to be same-day dispatched as add-ons. Inadequate capacity and unexpected spikes in demand can cause unscheduled trips. Some agencies deliberately have some unscheduled trips to fill in the gaps on the service day created by same-day cancellations. However, cancellations don't always occur at the same time or go in the same direction as the trips that are on the unscheduled list. Also, slack time created by same-day cancellations is often needed to address same-day service issues. Thus, too many unscheduled trips can hurt on-time performance.

A best practice is to begin the day of service with all trips scheduled to runs, so slack time created by cancellations can be used to recover from any same-day schedule issues that arise. If there are unscheduled trips, they should be few in number.⁵⁴ It is recommended that they be fewer than five percent or, even better, at or below two percent of total trips. Avoid any unscheduled trips first thing in the morning, to give dispatchers enough time to arrange for the placement of these trips. Avoid having too many unscheduled trips during peak operating hours, when capacity is stretched the most.

Tracking and analyzing any unscheduled trips is a good way to determine when additional capacity is needed and at what times it should be added. If a system has 20 to 30 unscheduled rides per day, the transit agency should consider an additional run, which can typically handle 18 to 20 trips in an 8 to 10 hour period.

Some transit agencies overbook to avoid having denials, causing problems with on-time performance. Others overbook to compensate for same-day cancellations. But if the cancellations don't occur, or if the cancellations occur at a time or place that does not lend itself to serving the overbooked trips, the system will run late.

For all these reasons, it is a good practice to have flexible capacity in the system. This can be in the form of floater (backup) runs, or can be a backup taxi or van service in case of an unexpected spike in demand. [Also see *Back-Up Capacity* below, p. 26.]

If paratransit service is contracted out, it is a best practice for the contract to clearly address unscheduled trips, including how many are acceptable, and how the service provider should handle them.

Bus systems have extra-board drivers; this is also necessary in paratransit.

RUN COVERAGE

An adequate workforce is essential to ensure that a vehicle operator is available to cover every scheduled run. In order to achieve this, it is important to have extra board (spare or standby) vehicle operators, scheduled to come in at major pullout times throughout the day. Fixed route transit agencies generally have extra-board drivers; this is also necessary in paratransit operations.

Sometimes in paratransit, there are adequate spare vehicle operators to cover "schedule outs" (such as vacations and other absences known in advance), but not enough to cover same-day,

unscheduled absences. Or spares are available to call in from home on an as-needed basis, but they are not scheduled spares who are readily available to cover runs on the day of service, if scheduled drivers are unexpectedly absent or do not arrive on time.

The consequence of inadequate run coverage is that runs are uncovered and closed, and all the trips on those runs will become unscheduled and will need to be same-day dispatched as additions (added to other vehicle operators' manifests throughout the day by the dispatcher), a recipe for running late. In this and other ways, inadequate driver backup can cause on-time performance problems.⁵⁵

Ensure that pullouts are carefully documented, and any runs that had to be closed are documented and then analyzed each day.

If service is contracted out, consider having a clause in the contract requiring an adequate workforce to cover all runs and to maintain an adequate extra board to cover any same-day vehicle operator callouts. Also consider incentives and disincentives attached to this contract requirement. Further, carefully consider the level of compensation offered to vehicle operators, since this is often a major factor in vehicle operator turnover and the inability to attract and maintain an adequate driver workforce.

VEHICLE COVERAGE

Run coverage by vehicles is related to run coverage by drivers. FTA ADA compliance reviews have addressed an inadequate number of vehicles to cover runs, and the resulting impact on on-time performance.⁵⁶ Make sure there is an adequate spare vehicle ratio—usually at least 20 percent of the peak hour pullout requirement. If vehicles need repairs, make them promptly so that a large percentage of the spare ratio is not being held out for needed repairs. Also, make sure that there are enough vehicles at major shift changes to cover not only scheduled pullouts, but also situations where some vehicles on the earlier shift might pull in late.

Have on-street back-up capacity in the form of floater runs or a backup taxi or van service.

BACK-UP CAPACITY

In addition to having an adequate extraboard and fleet, it is also a good practice to have on-street back-up capacity. This can be in the form of floater (backup) runs, and/or can be a backup taxi or van service.

Ideally, for every 10 to 15 scheduled runs, it is helpful to have a floater run available to assist with same day issues as they arise. Floater runs should not have any trips scheduled upon entering the day of service. Their purpose is to be available as back-ups to dispatchers if assistance is needed with trips on scheduled runs. Road supervisors might be used to provide some back-up, but it is important that they not be used as the sole back-up—since they have other important responsibilities, such as on-the-road monitoring.

Some systems also have taxi companies or other van companies available to provide back-up service on an as-needed basis. It is important that trips be referred to these back-up companies in a timely way. It is also important to fully monitor the service provided by back-up carriers to ensure that it meets the service standards.

ON-TIME PULLOUTS

Often, the first several trips on a run are late, caused by the run pulling out late.⁵⁷ Transit agencies should adopt a thorough policy regarding vehicle operator tardiness, disciplinary policies for vehicle operators who are consistently tardy, and incentives. For example, a number of transit agencies offer performance bonuses for on-time pullouts by vehicle operators. Most typical is to offer an extra \$1.00 or \$1.50 per hour to vehicle operators who pull out on time over the course of the full pay period, be that a week or two weeks.

If service is contracted out, consider adding requirements about on-time pullouts to the contract, with related incentives and disincentives. Then incentive payments to the contractors may be used to provide vehicle operators with performance bonuses to encourage on-time pullouts.

RESERVATIONS AND HANDLING OF CALLS

Capture special pickup instructions such as side door or back door.

To maintain on-time performance on the day of service, it is important that reservationists capture trip information accurately and repeat it back to callers.⁵⁸ A script is useful to ensure that reservationists do this. Make sure to capture and record special pickup instructions such as front door, side door, or back door. Also ensure that vehicle operators know where those special instructions are recorded. This is particularly important in systems that use Mobile Data Terminals (MDTs) because, very often, the special instructions aren't on the front page of the

MDT, so drivers must scroll to a secondary screen in order to find the information. [Also see *Advanced Technologies* below, p. 30.]

It is also important to ensure adequate staffing in Reservations, so that calls are answered without long telephone hold times.⁵⁹ More detailed information on *Telephone Hold Time in ADA Paratransit*, which is the subject of another Topic Guide, is available at <http://dredf.org/ADAtg>.

A growing number of systems are using Interactive Voice Recognition (IVR) to assist with the handling of calls. Transit systems that encourage riders to call in to confirm their scheduled pickup times using the IVR system should ensure that the IVR provides riders with the negotiated time or, even better, both the negotiated time and the pickup window, rather than the estimated time of arrival (ETA). In some systems, the IVR is set to give ETAs rather than the negotiated time. But as ETAs constantly change throughout the day, riders given an ETA may think that their scheduled time has changed, when it has not.

OTHER SCHEDULING ISSUES

Various state-of-the-art paratransit scheduling systems can respond to many detailed time-related considerations. Several of them allow a transit agency to set speed parameters, taking into consideration peak hour versus off-peak hour travel speeds of the vehicle. Some systems will allow the paratransit provider to identify route segments, so if there is a problematic bridge or a highway that slows at certain times of the day, the system can assign unique travel speeds. They also allow the provider to program a boarding time for an ambulatory individual and a different boarding time for an individual who uses a wheelchair.

Ensure that the scheduling system parameters are set correctly. As scheduling systems grow more complex, staff should work with software vendors to tweak and test the various settings. Ensure that the system creates good final run schedules. [Also see *Setting Travel Time Parameters Correctly* above, p. 14.]

Even with the best automated system, the schedules still need human fine-tuning.

Even with the best automated system, the schedules still need human fine-tuning. Have adequate staffing in the Scheduling Department to ensure that staff can review and fine-tune all the schedules.⁶⁰ It is recommended that this be done not only once, the evening before the day of service, but a few days out. Final schedules will be much more accurate and efficient if

schedulers review and optimize them three to five days out, and again one to two days out, as trips accumulate on the run. Perform a final check the night before.

Don't squeeze every last minute of slack out of the run.

Be careful about squeezing every minute of slack out of the run. Schedulers will sometimes add more trips to the schedule than are manageable, or do not allow as much time for a pickup as is needed.⁶¹ So it is important for a knowledgeable staff person to perform a final manual review of the schedules. And unless there is a healthy floater (backup) capacity, it is important to leave some recovery time for same-day issues. That is routine on a fixed route system, where recovery time is typically added at the end of each run, and it is necessary in paratransit as well.

If service is contracted out, ensure that these scheduling recommendations are included in contracts as required practices, or the scheduling area may be understaffed.

DISPATCHING

Be proactive in dispatching rather than reactive—be sure that all trips are “performed” as they happen, so that dispatchers are working from up-to-date times. If a transit system has MDTs, this will be helpful, because the information can be captured automatically in real time. If not, vehicle operators should call in regularly to “plus and minus,” or give dispatchers the actual times of performed trips. Alternatively, a dispatcher should query the vehicle operators on a regular basis to get actual times.⁶²

Keep dispatchers working on the status of runs at least an hour in advance, to resolve problems before they happen.

Try to keep dispatchers scanning and working on the status of runs at least an hour in advance, to resolve potential on-time problems before they happen, rather than simply reacting to “Where’s My Ride?” calls. An adequate dispatching staff is necessary.⁶³ A standard of not exceeding 30 runs on the road per full-time dispatcher at any given time is becoming more accepted in the transit industry.

If service is contracted out, ensure that these recommendations are included in contracts as required practices; otherwise, dispatch areas may be understaffed.

TRAINING VEHICLE OPERATORS

When training vehicle operators, consider spending extra time on map reading, understanding how to read a schedule, and orienting operators to the service area. Often, map and schedule reading is only a two-to-four hour module in the overall training program. And at some transit agencies, vehicle operators receive only a week or less of on-the-road training, which is not enough to learn the area. Consider using automated navigation systems, particularly for new vehicle operators. Another good practice is to scale back the runs assigned to new vehicle operators for the first month or two of their employment.

FTA found some drivers can't interpret various times on a manifest.

Vehicle operators also need to know how to properly read a schedule and plan a route. Vehicle operator interviews conducted during many FTA ADA compliance reviews have found that some drivers do not know how to interpret the various times that might be provided on a manifest. For example, they might see that two riders in different areas have pickups at the same time, but might not understand that they can pick up one rider early in the on-time window, and one later in the window, and that both are actually doable within the time allowed.⁶⁴

TRIP CONFIRMATIONS AND CALLOUTS

Some systems use trip confirmations and call-outs to help reduce same-day cancellations and no-shows, and to help improve on-time performance. Trip confirmations are calls to riders—typically the evening before the scheduled trip—to remind them that they have a scheduled ride and confirm the scheduled pickup time. These calls are particularly important in systems that take trip reservations several days to two weeks in advance.

Callouts are a helpful feature enabled by some paratransit software programs and other technologies wherein a rider can elect to receive an automated phone call when the vehicle is, for example, five minutes away or less.

ADVANCED TECHNOLOGIES

A number of advanced technologies, particularly Automatic Vehicle Locator (AVL), Mobile Data Terminals (MDTs), Global Positioning Systems (GPS), and Interactive Voice Response (IVR) systems are assisting some transit agencies to improve on-time performance.

AVL technology allows the agency to monitor the location of its paratransit vehicles on a real-time basis and to provide historical location information on trips. Paratransit providers can use this information to enhance proactive dispatching, thereby reducing late pickup and drop-off times.

MDTs facilitate communications between vehicle operators and the dispatcher. Drivers use the terminals to record their arrivals and departures in real time. This information is then used to calculate new estimated arrival times for subsequent trips. Late pickups or drop-offs are flagged to the dispatcher, who can then reassign later trips that might otherwise have become backed up.⁶⁵

GPS systems can provide on-street directions to drivers and can assist in finding pickup and drop-off locations. IVR technology can facilitate efficient booking and canceling of trips as well as call-outs and trip confirmation reminders. [Also see more about IVR technology in *Reservations and Handling of Calls* above, p.27.]

IF DATA MEET ALL GOALS, BUT RIDERS REMAIN VERY DISCONTENT WITH ON-TIME PERFORMANCE

Four common problems can cause situations in which managers receive strong performance reports, and statistics show high rates of on-time performance, yet many riders are very upset about on-time issues. Two of these problems relate to data accuracy, and two relate to rider perception.

Ensure that trips are not being cancelled and then rebooked in scheduling and dispatch.

The first data accuracy issue is to ensure that trips are not being cancelled and then rebooked in scheduling and dispatch operations, which can artificially mask on-time performance problems. If staff must reschedule a trip or switch it to another run, preserve the original negotiated time. Some of the large national paratransit operating companies have developed special reports to track any inappropriate changes in schedule times. This is a recommended practice.

A second data accuracy issue, a variation on the first one, is to ensure that trips are not inappropriately no-showed and then put back into the system as will-calls, which can also mask true on-time performance.

Regarding rider perception, one problem can show up as riders' dissatisfaction with their pickups. A rider will say "My pickup was an hour late," but investigation shows that it was in the system as a will-call, and the standard for a will-call pickup is within an hour of the time the rider called to say he or she is ready to return. Ensure that riders fully understand what level of service they can expect, if they agree to a will-call ride.

A second perception issue is to ensure that riders understand the pickup window. Even though the window is explained in the Rider's Guide, if reservationists, day in and day out, suggest to riders that the pickup time is an exact time, many riders will think that their ride is late if the vehicle arrives ten minutes after that time, because they are not fully considering the window. A growing number of systems are quoting the pickup window, rather than the pickup time. Reservationists tell the rider, "We will pick you up between 9 and 9:30 a.m." rather than saying that the rider will have a 9:00 a.m. pickup.

COMPLAINT INVESTIGATION

The thorough investigation of all complaints related to the use of ADA paratransit service is an important part of monitoring and compliance. Transit agencies should ensure that all rider complaints are recorded and investigated. Transit agencies are required to have procedures to receive, resolve, maintain records of, and report on complaints.⁶⁶

Thorough complaint investigation is an important part of ADA compliance.

Transit agencies should provide timely responses to riders with information about the outcome of investigations. Transit systems should then use information obtained from investigations to address any performance issues and improve service, as an integral part of their ADA compliance effort.

GENERAL RESOURCES FROM FTA

Many ADA resources are available on the website of the Office of Civil Rights of the Federal Transit Administration at www.fta.dot.gov/ada. The FTA Office of Civil Rights may be contacted by e-mail at FTA.ADAAssistance@dot.gov or by telephone at 202/366-4018 or 888/446-4511 (or by TTY at 800/877-8339).

ENDNOTES

- 1 The authors of the Topic Guide Series on ADA Transportation are Marilyn Golden, Policy Analyst, Disability Rights Education & Defense Fund (DREDF) and Russell Thatcher, Senior Transportation Planner, TranSystems Corporation.

We wish to acknowledge our Advisory Committee and the additional people who reviewed the Topic Guide series. The Advisory Committee includes Linda Deavens, Director, Paratransit, Inc., Sacramento, California; Susan Gallagher, Manager of Accessible Services, San Francisco Bay Area Rapid Transit District, Oakland, California; Bonnie Hitch, Customer Service Manager, DART First State/Delaware Transit Corporation, Dover, Delaware; Kevin Irvine, formerly Senior Advocate, Equip for Equality, Chicago, Illinois; Toby Olson, Executive Secretary, Washington State Governor's Committee on Disability Issues and Employment, Olympia, Washington; and Nancy Pineles, Managing Attorney, Maryland Disability Law Center, Baltimore, Maryland.

The Topic Guide series was also reviewed, in whole or in part, by Doug Douglas, Vice President, Paratransit Services and Tammy Haenftling, Assistant Vice President, Paratransit Management Services, Dallas Area Rapid Transit (DART), Dallas, Texas; Karen Hoesch, Executive Director, Access Transportation System, Pittsburgh, Pennsylvania; Richard Weiner, Principal, Nelson\Nygaard Consulting Associates, San Francisco, California; and Stacy Zwagers, Program Manager, Access to Independence, San Diego, California.

The authors also extend appreciation to DREDF staff Ann McDonald-Cacho, Dave Nold, Julia Epstein, Linda D. Kilb, and Katie Keil.

- 2 This report was funded through a cooperative agreement between the Disability Rights Education & Defense Fund (DREDF) and the Federal Transit Administration (FTA), U.S. Department of Transportation. The views and policies expressed herein do not necessarily represent the views or policies of the Federal Transit Administration. The United States government assumes no liability for the contents or use of this report.
- 3 U.S. Department of Transportation (DOT) ADA regulation at 49 C.F.R. § 37.131 and 49 C.F.R. Part 37, App. D, § 37.131, available at www.fta.dot.gov/civilrights/ada/civil_rights_3906.html.
- 4 This Topic Guide discusses the provisions of the Americans with Disabilities Act (ADA) at 42 U.S.C. § 12143(c)(3), available at www.ada.gov/pubs/adastatuteo8.htm, and of the U.S. Department of Transportation (DOT) ADA regulation at 49 C.F.R. § 37.131 and 49 C.F.R.

Part 37, App. D, § 37.131, available at www.fta.dot.gov/civilrights/ada/civil_rights_3906.html. This Topic Guide also draws from the Easter Seals Project ACTION Distance Learning Session, *On-Time Performance in ADA Paratransit*, August 7, 2008, in remarks by the same authors, available at http://projectaction.easterseals.com/site/DocServer/Transcript_of_08-07-o8_paratransit_audio_conference.pdf?docID=75123.

- 5 Federal Transit Administration ADA Compliance Review of Rochester-Genesee Regional Transportation Authority (R-GRTA), Rochester, New York, *Assessment of ADA Complementary Paratransit Service Capacity Constraints*, conducted November 18 – 21, 2002, Final Report dated October 27, 2003, p. 46, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.
- 6 FTA findings regarding the need to consider appointment times have appeared in several ADA compliance reviews, including these three:

Finding: "Tulsa Transit does not use appointment times in scheduling. It does not measure on-time drop-offs for appointments."

Recommendation: "For many trips, such as medical appointments, work trips or trips to school, arrival time at the destination is more important to the customer than the pickup time. Tulsa Transit should consider scheduling such trips to meet *appointment times* and measuring *on-time performance for drop-offs* for such trips."

Federal Transit Administration ADA Compliance Review of Metropolitan Tulsa Transit Authority, Tulsa, Oklahoma, *Assessment of ADA Complementary Paratransit Service Capacity Constraints*, conducted March 11 – 14, 2002, Final Report dated October 3, 2002, p. 39, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Finding: "Requiring that 'going' trips be scheduled based on a requested pick-up time and not allowing riders the option to schedule trips based on desired arrival time is a practice that can make it extremely difficult for customers to schedule trips that reliably meet appointments. This practice could discourage riders from using the service."

Recommendation: "R-GRTA should allow riders to schedule going trips by either stating a desired arrival time or a desired pick-up time."

Federal Transit Administration ADA Compliance Review of Rochester-Genesee Regional Transportation Authority (R-GRTA), Rochester, New York, *op. cit.*, pp. 50 and 51.

Finding: "Appointment/desired arrival times are currently not considered in the scheduling process or in the service delivery process. It is likely that this lack of information about desired arrival times causes some customers, particularly newer riders, to arrive late to destinations and appointments."

Recommendation: "SEPTA should consider ways to capture and include appointment/desired arrival times in the reservations and scheduling process to ensure that customers get to their destinations on time. At a minimum, appointment times should be recorded by reservationists and printed on driver manifests. This would alert drivers to desired arrival times and would permit on-time drop-offs to be monitored as part of overall on-time performance."

Federal Transit Administration ADA Compliance Review of Southeastern Pennsylvania Transportation Authority (SEPTA), Philadelphia, Pennsylvania, *Assessment of ADA Complementary Paratransit Service Capacity Constraints*, conducted March 6 – 10, 2000, Final Report dated November 17, 2000, p. 54, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

- 7 Michael A. Winter, then Director, Federal Transit Administration Office of Civil Rights, letter to Rochester-Genesee Regional Transportation Authority (R-GRTA), October 27, 2003, as discussed in *Transit Access Report, Option Urged for ADA Riders to State Desired Arrival Time*, Pace Publications, November 25, 2003, p. 5.
- 8 Federal Transit Administration ADA Compliance Review of Rochester-Genesee Regional Transportation Authority (R-GRTA), Rochester, New York, *op. cit.*, p. 45.
- 9 Federal Transit Administration ADA Compliance Review of Rochester-Genesee Regional Transportation Authority (R-GRTA), Rochester, New York, *op. cit.*, p. 45.
- 10 Federal Transit Administration ADA Compliance Review of New York City Transit, New York, New York, *ADA Complementary Paratransit Service Compliance Review*, conducted September 10 – 18, 2003, Final Report dated October 22, 2004, pp. 58 and 65, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

- 11 Several FTA ADA compliance reviews, including these two, have addressed the importance of preserving the pickup time negotiated with the rider.

Finding: "Differing expectations regarding the pick-up time may be confusing and lead to on-time service complaints. ... *The LIFT* Book* states that passengers should be ready 15 minutes before their scheduled appointments. Drivers are instructed to arrive 0-15 minutes after the scheduled pick-up time. At the same time, unbeknownst to passengers, schedulers may reschedule pick-up times. Although schedulers are supposed to attempt to notify passengers if a pick-up time is shifted more than 15 minutes, often they do not, so passengers are unaware of the change in pick-up time. This practice can lead to confusion and misunderstandings."

Federal Transit Administration ADA Compliance Review of Sun Metro LIFT, El Paso, Texas, *Assessment of ADA Complementary Paratransit Service Capacity Constraints*, conducted January 22 – 25, 2001, Final Report dated May 24, 2001, p. 22, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Finding: "Operators believe that the estimated time shown on the manifest is the same as the scheduled time told to the customer. The estimated time can be different from the time scheduled with the customer. As a result, operators may arrive for pickups at the wrong time. This can result in early, late, and missed trips or inefficient use of the operator's time. It can also delay other customers and confuse customer communications."

Federal Transit Administration ADA Compliance Review of Central New York Regional Transportation Authority, Syracuse, New York, *ADA Complementary Paratransit Service Compliance Review*, conducted April 23 – 26, 2007, Final Report dated March 5, 2008, p. 26, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

- 12 FTA has found in several ADA compliance reviews, including these two, that transit agencies' failure to alert riders about changes to their scheduled pickup times has caused significant on-time performance and other problems.

Finding: "Call-backs are not consistently made to inform riders of scheduled pick-up times. An examination of 235 trip records indicated that call-backs are made only 24% of the time. Riders therefore often appear to be unaware of scheduled pick-up times that are significantly different from the times they requested. This appears to be contributing to significant rider dissatisfaction with the reliability of the service."

Federal Transit Administration ADA Compliance Review of Birmingham Jefferson County Transit Authority (BJCTA), Birmingham, Alabama, *Assessment of ADA Complementary Paratransit Service Capacity Constraints*, conducted April 29 – May 2, 2002, Final Report dated October 25, 2002, p. 51, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Finding: “The process of scheduling and making call-backs needs to be reviewed. Ideally, ... adequate reservation capacity would exist to allow all trip requests to be scheduled while customers are making trip requests. This way, fewer trips would need to be scheduled after the fact and fewer call-backs would be needed. In the meantime, it would seem important to ensure that riders are made aware of significant changes to the expected pick-up times. Additional time and effort should be made to contact riders if times are changed. This appears to be a staffing issue. The scheduler currently is often distracted by being required to back-up the reservations process. The scheduler is also handling a significant number of trips given that many trips have to be scheduled after the fact. Adequate staff time does not seem to be available to allow call-backs to be made in a thorough fashion.”

Federal Transit Administration ADA Compliance Review of Memphis Area Transit Authority (MATA), Memphis, Tennessee, *Assessment of ADA Complementary Paratransit Service Capacity Constraints*, conducted February 14 – 17, 2000, Final Report dated August 1, 2000, p. 30, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

- 13** The importance of the negotiated pickup time appearing on the drivers’ manifest was the basis of findings in several FTA ADA compliance reviews, including these three:

Finding: “Driver manifests should also be formatted to show pick-up times communicated to customers as well as scheduled times. This ‘agreed upon’ time could be the original requested time or the time negotiated with the rider through call-backs. Then, even if the final scheduled time varies slightly from the time given to customers, there will be a clear understanding by drivers and dispatchers of the 30 minute window (based on negotiated pick-up times) when customers will be expecting the vehicle to arrive.”

Federal Transit Administration ADA Compliance Review of Memphis Area Transit Authority (MATA), Memphis, Tennessee, *op. cit.*, p. 30.

Finding: “The definition of the 20-minute on-time window (0/+20) does not appear to be effectively communicated to service providers and drivers. The contracts

between ATC and the service providers cite a contract penalty for pickups completed more than 30 minutes after the scheduled pickup time. As a result, the service providers' incentive is to pick customers up within 30 minutes of the scheduled pickup time (0/+30), not 20 minutes. Operator manuals do not address the on-time pickup window and only an estimated pickup time appears on the drivers' manifests. Several observations were made of scheduled pickup times on driver manifests that were outside of the customer's 20-minute pickup window. Most drivers interviewed did not know the correct pickup window. As a result, the driver is usually unaware of what the customer is expecting for a pickup time. This can result in miscommunications between driver and customer and can contribute to late and early pickups."

Recommendation: "Driver manifests should be revised to include pickup times negotiated with customers and appointment times if and when customers request trips to meet appointments. If possible, pickup windows also should be included on driver manifests. This can help to minimize the potential for misunderstanding between drivers and customers and improve on-time performance."

Federal Transit Administration ADA Compliance Review of Alameda-Contra Costa Transit District (AC Transit) and San Francisco Bay Area Rapid Transit District (BART), Oakland, California, *Compliance Review of ADA Complementary Paratransit Service*, conducted February 24 – 28, 2003, Final Report dated March 16, 2005, pp. 52 and 53, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Finding: "Incomplete and inconsistent information on driver manifests may contribute to late trips and misunderstanding between operators and customers. The format of manifests differed for different carriers and even among tiers for the same carrier. Most manifests used formats created by the MIDAS scheduling software. These manifests contained no scheduled pickup times for trips that were scheduled to appointment times. Manifests used by Mass Services did not include requested drop-off times."

Finding: "Of 53 Valley Opportunity Council manifests that the assessment team reviewed, 27 were missing actual pickup or drop-off times making it difficult to measure on-time performance."

Recommendation: "Manifests created by the MIDAS scheduling software should be modified to include pickup and drop-off times scheduled with the customer, as well

as estimated arrival times produced by the scheduling software. The manifests should also provide a place for drivers to record actual arrival times for both pickups and drop-offs. Complete information on times scheduled with the customer can help to avoid potential confusion between the customer and driver and help to improve on-time performance.”

Federal Transit Administration ADA Compliance Review of Pioneer Valley Transit Authority, Springfield, Massachusetts, *Assessment of ADA Complementary Paratransit Service Capacity Constraints*, conducted July 15 – 18, 2002, Final Report dated January 21, 2003, pp. 42 and 43, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

- 14** Lack of inclusion on drivers’ manifests of important information in addition to pickup time can also cause on-time performance problems, as underscored in this FTA ADA compliance review:

Finding: “The absence of drop-off sequences and drop-off times on the manifests further limits on-time performance for both pickups and drop-offs. The driver is left to determine the routing and has no information on customer appointment times.”

Finding: “On-time performance is further diminished by drivers establishing their own schedule for trips. Based on a review of manifests, drivers establish their own sequence for picking up customers, disregarding the sequence on the manifest, as well as ignoring schedule times on the manifests. This may be primarily a problem resulting from poorly sequenced and incomplete manifests.”

Federal Transit Administration ADA Compliance Review of Autoridad Metropolitana de Autobuses (AMA), San Juan, Puerto Rico, conducted October 2007 (draft).

- 15** Many FTA ADA compliance reviews have addressed the need for transit agencies to monitor all aspects of on-time performance, not only pickups, as in this example:

Finding: “The on-time performance standard should be expanded to more thoroughly address all aspects of on-time performance. The standard currently only addresses timely pick-ups. Timely arrivals for appointments is not tracked. While appointment/desired arrival times are often given to reservationists, driver manifests are not formatted to show this information. The manifests show only the calculated drop-off time. It would be helpful to have appointment times known by drivers and dispatchers so they could ensure that riders reach destinations on time.

Having an appointment time on the manifest would then also allow drop-off and appointment times to be compared."

Federal Transit Administration ADA Compliance Review of Memphis Area Transit Authority (MATA), Memphis, Tennessee, *op. cit.*, p. 30.

- 16 "Customers should allow for a twenty-minute pickup window."

Pace ADA Paratransit Service, *Paratransit Service City of Chicago Customer Guide*, January 1, 2010, p. 9, available at www.pacebus.com/sub/paratransit/sd_ada_chicago.asp.

- 17 Maryland Transit Administration, *Mobility/Paratransit*, "Pleasant Trip Tips," available at <http://mta.maryland.gov/mobility/>.

- 18 "In the STS RIDER'S GUIDE MDTA states that Rider's have the right to 'pickups within 10 minutes before to 20 minutes after the negotiated reservation time.' Section 1.53 of the COMSIS contract also identifies the 'pick-up' window as 'ten minutes before and twenty minutes after the negotiated pick-up time.'"

Federal Transit Administration ADA Compliance Review of Metro-Dade Transit Agency, Special Transportation Services, Miami, Florida, *op. cit.*, p. 24.

- 19 In a draft ADA compliance review of the Autoridad Metropolitana de Autobuses (AMA) paratransit service in San Juan, Puerto Rico, FTA found that the AMA 60-minute pickup window can result in service that is not comparable to fixed route service and can result in untimely pickups, and appears to be a capacity constraint. It also stated that pickup windows up to 30 minutes are the industry standard, and result in wait times that are more comparable to that of the fixed route service.

Excerpts from ADA Compliance Review, section on Policies and Procedures: "The use of a 1 hour pickup window (-30/+30) can result in service that is not comparable to fixed route service and can result in untimely pickups. Excessively long pickup windows constitute a capacity constraint because requiring a rider to leave aside an entire hour to wait for the vehicle will discourage and limit use of the Llame y Viaje service. The effect on riders would be similar to long telephone hold times for reservation phone calls and significantly untimely pickups. In adopting such an excessively long pickup window, AMA is essentially accepting untimely Llame y Viaje pickups as a regular part of the paratransit service operations.

“Other transit agencies more commonly use pickup windows of about 30 minutes, which results in wait times that are more comparable to that of fixed route service. AMA should review and revise its Llave y Viaje pickup window to provide customers with scheduling opportunities that are comparable to fixed route service. The window that AMA selects should be developed with input from representatives of the disability community and should reflect local travel conditions.”

Finding: “Use of a pickup window that extends from 30 minutes prior to 30 minutes after the scheduled pickup time limits a customer’s ability to schedule trips and results in unreasonably long wait times. Llave y Viaje riders have to allow 60 minutes of wait time in scheduling trips. This pickup window makes the paratransit service more difficult to use. It discourages riders from using the paratransit service and renders it unusable for riders who cannot set aside an hour to wait for their pickup. The current window appears to be a capacity constraint, in violation of § 37.131(f)(3).”

Recommendation: “In consultation with the local disability community and in consideration of local conditions, AMA should revise its pickup window to provide wait times and trip scheduling opportunities for ADA eligible paratransit customers that are comparable to those of other paratransit services.”

Federal Transit Administration ADA Compliance Review of Autoridad Metropolitana de Autobuses (AMA) (draft), San Juan, Puerto Rico, *op. cit.*

- 20** In many ADA compliance reviews, including these five, FTA expressed concern about the numbers of early pickups and the pressuring of passengers to board early.

Finding: “The Onondaga County Division may have a substantial number of significantly early pickups. On February 7, 2007, 25 percent of trips provided (92 of 365) were picked up more than 5 minutes before the scheduled time. Of the 92 early trips, 23 (6 percent of all trips provided) were more than 15 minutes early. Consumers interviewed expressed concern about early pickups. When agreed to by the customer, early pickups are acceptable and can improve operating efficiency and customer service. However, *it is not acceptable to pressure customers into accepting early pickups when they are not prepared or do not wish to board.* When customers are encouraged, or pressed, to accept pickups that are significantly before the scheduled time, those pickups could be considered untimely. During interviews, operators appeared to be aware that they are not to arrive for pickups too early. Display of estimated times rather than scheduled times on operator

manifests may, however, contribute to early pickups as a result of misunderstanding of the pickup time.” [emphasis added]

Recommendation: “Onondaga County Division of CAB should regularly monitor early drop-offs and adjust procedures to reduce the number of significantly early drop-offs. Distance-based parameters for scheduling trips for appointments should be reviewed and modified as appropriate.”

Recommendation: “To avoid significantly early pickups, operator manifests should be revised to show the scheduled times negotiated with the customer. The scheduled time, rather than the estimated time, should be used by the operator for determining when to approach the customer.”

Federal Transit Administration ADA Compliance Review of Central New York Regional Transportation Authority, Syracuse, New York, *op. cit.*, pp. 93 and 95.

Finding: “Customers may feel pressured to accept early departure times. Two consumer group representatives indicated that customers are pressured to accept early pick-ups and the portion of reported early pick-ups (one in ten) is high.”

Recommendation: “Palm Tran should instruct or reinstruct its carriers that drivers are not to request passengers to board the SpecTran vehicle before the beginning of the pick-up window.”

Federal Transit Administration ADA Compliance Review of Palm Tran Incorporated (Palm Tran), Palm Beach County, Florida, *Assessment of ADA Complementary Paratransit Service Capacity Constraints*, conducted April 17 – 20, 2000, Final Report dated January 2001, pp. 33 and 34, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Finding: “The wording of dispatcher calls to customers announcing driver arrivals before the pick-up window could be construed to encourage, or require, customers to board the vehicle before the beginning of the pick-up window. In some instances when drivers arrive at pick-up locations before the pick-up window, dispatchers were observed telling customers that their ‘vehicle is waiting for them.’”

Recommendation: “When vehicles arrive early, operator dispatchers should be instructed to inform the customer that their vehicle has arrived early and is ready

for them if they chose to leave early. NYCT might consider providing such guidance in the form of a script for the dispatchers.”

Federal Transit Administration ADA Compliance Review of New York City Transit, New York, *op. cit.*, pp. 123 and 127.

Finding: “Based on the analysis of the one-day sample, more than 30 percent of pickups are early—this is a high proportion.”

Federal Transit Administration ADA Compliance Review of Pierce Transit, Tacoma, Washington, conducted November 2007.

Finding: “Customers may feel pressured to make their trip earlier than the on-time window. PVPC sample data shows that early pickups increased from 4 percent in January to 11.3 percent in June of 2002. A review of driver manifests indicates that some pickups were as much as an hour early. Contractor managers also cited problems with drivers who continued to their next pickup even when they have open time (one hour) in their schedules. Seven of 162 recent PVRTA complaints related to early pickups.”

Recommendation: “PVRTA should instruct drivers that customers are not required to accept a ride until the beginning of the pickup window (10 minutes before the scheduled pickup time). Drivers should also be instructed to apply no pressure to customers to depart early. Dispatchers should be instructed to monitor early pickups to assure that customers are not being pressured to accept them. Drivers who pressure customers to accept early pickups should be retrained and disciplined as appropriate.”

Federal Transit Administration ADA Compliance Review of Pioneer Valley Transit Authority, Springfield, Massachusetts, *op. cit.*, pp. 42 – 43.

- 21** Many FTA ADA compliance reviews, including these eight, either found that transit agency reservationists don’t reinforce the pickup window when reservations are made, or in other cases, made the positive finding that transit agency reservationists did consistently restate the pickup window appropriately when making each reservation. In either case, it is clear that FTA attaches importance to this practice.

Finding: “Calltakers do not always confirm the pickup window for their scheduled trip with the customer at the end of the trip request call. Some of the late trip

complaints seem to result from riders not understanding that drivers can arrive up to 15 minutes after pickup appointment times and still be considered on-time.”

Recommendation: “Calltakers should be instructed to always confirm the pickup window, rather than a pickup time, for their scheduled trip with the customer at the end of the trip request call. To reduce potential for confusion, MetroAccess may want to consider revising the pickup window to begin at the requested pickup time and extend for some time, such as twenty minutes, beyond the requested pickup time.”

Federal Transit Administration ADA Compliance Review of Washington Metropolitan Area Transit Authority (WMATA), Washington, D.C., *ADA Complementary Paratransit Service Compliance Review*, December 4 – 8, 2006, Final Report dated June 26, 2007, p. 28, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Finding: “Call takers confirm pickup times with customers at the end of call to make reservations, but do not usually recite the 30-minute pickup window.”

Recommendation: “Tulsa Transit call takers should reinforce the concept of the pickup window by reciting the window to riders – rather than the requested pickup time – when confirming trip information.”

Federal Transit Administration ADA Compliance Review of Metropolitan Tulsa Transit Authority, Tulsa, Oklahoma, *op. cit.*, p. 25.

Finding: “When confirming trip times with the customer, the call takers sometimes described the pickup schedule in terms of the -10/+5 minute window. More often, they indicated the precise schedule time. This practice could cause customer confusion on when to expect the vehicle to arrive.”

Recommendation: “To make it clear to customers when vehicles will arrive, Wichita Transit call takers should recite the pickup window to riders, rather than a precise pickup time, when confirming trip information. For example a vehicle will arrive between 7:50 and 8:05 a.m., rather than 8:00 a.m.”

Federal Transit Administration ADA Compliance Review of Wichita Transit, Wichita, Kansas, *Assessment of ADA Complementary Paratransit Service Capacity Constraints*, conducted August 12 – 15, 2002, Final Report dated

April 21, 2003, p. 23, available at
www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Finding: "Call takers recited the requested pickup or drop-off times with riders at the end of call, but did not advise customers of the 20-minute pickup window."

Federal Transit Administration ADA Compliance Review of Pioneer Valley Transit Authority, Springfield, Massachusetts, *op. cit.*, p. 25.

Finding: "Call takers recited the precise agreed upon pickup time when confirming a trip, rather than the pickup window."

Recommendation: "DDOT should develop a written script for its call takers so that they request and provide all necessary information on a consistent basis while taking a trip request. This includes the recitation of a pickup window, rather than a precise time."

Federal Transit Administration ADA Compliance Review of Detroit Department of Transportation, Detroit, Michigan, *Assessment of ADA Complementary Paratransit Service Capacity Constraints*, conducted September 9 – 13, 2002, Final Report dated July 15, 2003, p. 31, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Finding: "Call-takers were consistent in giving callers a 20-minute window for the pickup time, rather than a specific time. This practice provides customers with a clear understanding of when to be ready for the vehicle to arrive."

Federal Transit Administration ADA Compliance Review of Alameda-Contra Costa Transit District (AC Transit) and San Francisco Bay Area Rapid Transit District (BART), Oakland, California, *op. cit.*, p. 33.

Finding: "Call-takers seem to effectively affirm the 20-minute pickup window, thereby minimizing potential customer confusion on pickup times."

Federal Transit Administration ADA Compliance Review of Los Angeles County Metropolitan Transportation Authority (MTA), Los Angeles, California, *Compliance Review of ADA Complementary Paratransit Service*, January 27 – 31, 2003, Final Report dated August 2, 2004, p. 39, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Finding: “Call-takers were consistent in confirming the scheduled pickup time in terms of a 30-minute window, rather than a precise time.”

Federal Transit Administration ADA Compliance Review of Merrimack Valley Regional Transit Authority (MVRTA), Haverhill, Massachusetts, *ADA Complementary Paratransit Service Compliance Review*, conducted March 15 – 18, 2005, Final Report dated December 26, 2006, p. 40, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

- 22 Letter of Finding by John R. Day, Acting ADA Team Leader, Office of Civil Rights, Federal Transit Administration, December 18, 2008, regarding FTA Complaint No. 07-0203 against Access Transportation, the King County Metro paratransit service, Seattle metropolitan area, Washington State.
- 23 Michael A. Winter, then Director, Federal Transit Administration Office of Civil Rights, letter to Rochester-Genesee Regional Transportation Authority (RGRTA), October 27, 2003, as discussed in Transit Access Report, *Option Urged for ADA Riders to State Desired Arrival Time*, Pace Publications, November 25, 2003, p. 5.
- 24 A number of other FTA ADA compliance reviews, including these five, found problematic patterns of late arrivals that could form a capacity constraint. For example, one review stated, “The goal for on-time drop-offs is 91%. This goal would result in people being late for appointments for almost one in ten trips. Someone who uses [this service] to commute to work could be late once every two weeks while still achieving this performance goal.”

Federal Transit Administration ADA Compliance Review of City of Tucson Transit Services Division, Tucson, Arizona, *ADA Complementary Paratransit Service Compliance Review*, conducted March 24 – 27, 2003, Final Report dated April 1, 2004, p. 60, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Similar findings regarding problems with a pattern of late drop-offs appeared in these four FTA ADA compliance reviews:

Federal Transit Administration ADA Compliance Review of Pinellas Suncoast Transit Authority (PSTA), Pinellas County, Florida, *Assessment of ADA Complementary Paratransit Service Capacity Constraints*, conducted December 13 – 16, 1999, Final Report dated July, 2000, p. 21.

Federal Transit Administration ADA Compliance Review of Birmingham Jefferson County Transit Authority (BJCTA), Birmingham, Alabama, *op. cit.*, p. 33.

Federal Transit Administration ADA Compliance Review of Capital District Transportation Authority, Albany, New York, *ADA Complementary Paratransit Service Compliance Review*, conducted June 13 – 16, 2005, Final Report dated January 31, 2007, pp. 48 – 49, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Federal Transit Administration ADA Compliance Review of Metro, St. Louis, Missouri, *ADA Complementary Paratransit Service Compliance Review*, conducted April 11 – 14, 2005, Final Report dated February 25, 2007, p. 58, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

25 National Transit Institute, *Paratransit Scheduling and Dispatching Fundamentals*.

Also, FTA ADA compliance reviews consider drop-offs that are more than 30 minutes early, and make a formal finding if there are a large percentage of drop-offs that early. Early drop-offs were singled out by FTA as a problem in these four ADA compliance reviews:

Finding: “Nearly half the trips in the sample (47.8 percent) had drop-offs that were more than 30 minutes early. This is problematic for riders who arrive at buildings that may not be open that far in advance, and particularly serious for riders who are forced to wait outside during cold weather.”

Federal Transit Administration ADA Compliance Review of Pierce Transit, Tacoma, Washington, *op. cit.*

Finding: “The Onondaga County Division has a significant number of early drop-offs. On the sample day, 17 percent of trips with appointment times were dropped off more than 30 minutes early. Significantly early drop-offs can result in long waits until customer appointments and can be a constraint to use of CAB service.”

Federal Transit Administration ADA Compliance Review of Central New York Regional Transportation Authority, Syracuse, New York, *op. cit.*, p. 93.

Finding: “Based on the review team’s sample, it does not appear that Van Tran has a substantial number of significantly late drop-offs. No drop-offs were more than 30 minutes late. For early drop-offs, Van Tran should be aware of the drop-offs that are between 31 and 60 minutes before the appointment times. Depending on the destination and circumstances of the appointment, a drop-off more than 30 minutes early may cause problems for a rider.”

Federal Transit Administration ADA Compliance Review of City of Tucson Transit Services Division, Tucson, Arizona, *op. cit.*, p. 60.

Finding: "Ten of the 39 drop-offs from the sample (25.6 percent) were more than 30 minutes before the scheduled time; one drop-off was more than one hour early. Significantly early drop-offs can be an impediment to use of the service."

Federal Transit Administration ADA Compliance Review of Capital District Transportation Authority, Albany, New York, *op. cit.*, p. 48.

- 26** Many FTA ADA compliance reviews, including these ten, have found a problematic lack of tracking of various aspects of on-time performance, due to the lack of a drop-off window and/or a failure to measure timely or too-early drop-offs. Several such findings restated the FTA concern that "For many trips, such as medical, work, school, and business appointments, on-time drop-offs are more important to the customer than on-time pickups." For example:

Finding: "Centro does not have a standard for on-time drop-offs for CAB. For many trips, such as medical, work, school, and business appointments, on-time drop-offs are more important to the customer than on-time pickups."

Recommendation: "The Onondaga County Division of CAB should regularly monitor early drop-offs and adjust procedures to reduce the number of significantly early drop-offs. Distance-based parameters for scheduling trips for appointments should be reviewed and modified as appropriate."

Recommendation: "CNYRTA should, in consultation with its consumer advisory group, develop a performance standard for on-time drop-offs for trips with appointment times that would include an earliest time and a latest time."

Federal Transit Administration ADA Compliance Review of Central New York Regional Transportation Authority, Syracuse, New York, *op. cit.*, pp. 94 and 95.

Finding: "COTA does not have standards for on-time drop-offs. COTA does not track on-time performance of drop-offs."

Recommendation: "COTA should place appointment times on driver manifests and have appointment times on the screens that dispatchers are usually viewing. COTA

should also establish a standard for on-time drop-off performance. Finally, COTA should track and report data for on-time drop-off performance.”

Federal Transit Administration ADA Compliance Review of Central Ohio Transit Authority (COTA), Columbus, Ohio, *ADA Complementary Paratransit Service Compliance Review*, conducted February 6 – 9, 2007, Final Report dated November 15, 2007, pp. 77 and 78, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Similar findings appeared in many other FTA ADA compliance reviews, including these eight:

Federal Transit Administration ADA Compliance Review of Wichita Transit, Wichita, Kansas, *op. cit.*, pp. 35 and 36.

Federal Transit Administration ADA Compliance Review of New York City Transit, New York, *op. cit.*, pp. 126 and 128.

Federal Transit Administration ADA Compliance Review of Alameda-Contra Costa Transit District (AC Transit) and San Francisco Bay Area Rapid Transit District (BART), Oakland, California, *op. cit.*, pp. 52 and 53.

Federal Transit Administration ADA Compliance Review of Gary Public Transportation Corp. (GPTC), Gary, Indiana, *Compliance Review of ADA Complementary Paratransit Service*, conducted April 22 – 25, 2003, Final Report dated November 21, 2005, p. 35, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Federal Transit Administration ADA Compliance Review of Merrimack Valley Regional Transit Authority (MVRTA), Haverhill, Massachusetts, *op. cit.*, pp. 62 and 63.

Federal Transit Administration ADA Compliance Review of Capital District Transportation Authority, Albany, New York, *op. cit.*, pp. 48 and 49.

Federal Transit Administration ADA Compliance Review of Autoridad Metropolitana de Autobuses (AMA) (draft), San Juan, Puerto Rico, *op. cit.*

Federal Transit Administration ADA Compliance Review of Pierce Transit, Tacoma, Washington, *op. cit.*

- 27** This FTA ADA compliance reviews found on-time performance problems stemming from too many will-calls. Similar conclusions were also reached in Multisystems, Inc., *Innovative Practices in Paratransit Services*, Easter Seals Project ACTION, April 2002, p. 11.

Finding: "The large percentage of will-calls, same day trip requests, and same day trip changes appears to have an impact on on-time performance and travel times. While some riders are given additional travel flexibility, many other riders are inconvenienced as same day changes are being accommodated. Many comments and complaints about late trips also appear to be related to will-calls, which indicates that the system really does not have the capacity to adequately respond to the level of same day trip additions and changes that now occur."

Federal Transit Administration ADA Compliance Review of Birmingham Jefferson County Transit Authority (BJCTA), Birmingham, Alabama, *op. cit.*, p. 51.

- 28** This FTA ADA compliance review found that transit agencies should correct their travel time parameters in order to maintain on-time performance.

Finding: "The City of Tucson's travel time standard stipulates that 80% of all ADA Van Tran trips are to be 90 minutes or less and 100% of trips are to be no more than 120 minutes. For some trips, these standards could allow rides to be excessively long."

Recommendation: "It is also recommended that the City of Tucson reconsider its current standards for on-board travel times."

Recommendation: "Van Tran should continue to periodically analyze long trips to identify significantly long trips and to assess trends (e.g., relative to common origins/destinations, times of day, types of riders, or individual riders). This analysis should include both an assessment of scheduled long trips (those the computer estimates will be in excess of the travel time standard), as well as actual travel times taken from driver manifests. Particular attention should be given to group trips and to determining whether group trips should be split onto additional runs."

Federal Transit Administration ADA Compliance Review of City of Tucson Transit Services Division, Tucson, Arizona, *op. cit.*, pp. 60 – 61.

- 29 FTA found that this transit agency procedure of allowing 60 minutes of travel time for all trips could have problematic consequences, both for riders and for the transit agency.

Finding: "DART's procedure of allowing 60 minutes of travel time for all trips, combined with its pickup window of 0/+30 minutes, may result in late drop-offs or very early drop-offs."

Finding: "DART's travel time standard of 60 minutes per county traveled may allow unreasonably long paratransit travel times for short trips or for inter-county trips. The travel time standard may also unfairly penalize DART for long inter-county trips."

Recommendation: "DART should revise its procedure of automatically allocating 60 minutes of travel times when scheduling all paratransit trips. It could base travel time on straight-line distance or some other simple proxy."

Federal Transit Administration ADA Compliance Review of Delaware Transit Corporation, Dover, Delaware, *ADA Complementary Paratransit Service Compliance Review*, conducted May 15 – 18, 2007, Final Report dated August 29, 2008, pp. 72 and 73, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

- 30 Several FTA Letters of Finding, including these two, and most FTA ADA compliance reviews, including this one, have determined whether the paratransit ride time was allowable by basing it on the fixed route time to reach the same destination from the same origin. In each of the following three findings, FTA used this method and concluded that there was no ADA violation.

1. FTA judged whether a rider's paratransit trips exceeded the length of comparable fixed route rides by 15 minutes. FTA found that service with less than 3 percent of paratransit rides running that long did not violate the ADA.

Letter of Finding by David W. Knight, then ADA Team Leader, Office of Civil Rights, Federal Transit Administration, July 30, 2008, regarding FTA complaint No. 07-0286 against St. Louis Metro, St. Louis, Missouri.

2. An FTA ADA compliance review took fixed route travel times and added 20 minutes to walk to the bus stop, wait for the bus, and walk to the destination. Paratransit trips were judged by whether any was "more than 30 minutes longer

than the comparable fixed route trip.” When, out of a sample of 31 trips, one was 32 minutes longer, but 13 were shorter, FTA found no ADA violation.

Federal Transit Administration ADA Compliance Review of Central New York Regional Transportation Authority, Syracuse, New York, *op. cit.*, p. 84, and Transit Access Report, *15-Minute Benchmark Is Used in a Ruling on ADA Trip Length*, Letter Publications, February 10, 2009, p. 6.

3. According to an FTA Letter of Finding regarding paratransit trip length, FTA analyzed one hundred trips and found only six were longer than the fixed route time plus ten minutes; four were ten minutes longer or less. No ADA violation was found.

Letter of Finding by John R. Day, Acting ADA Team Leader, Office of Civil Rights, Federal Transit Administration, December 18, 2008, regarding FTA Complaint No. 07-0203 against Access Transportation, the King County Metro paratransit service, Seattle metropolitan area, Washington State.

- 31** Fixed route transit systems are those that operate along prescribed routes according to fixed schedules, in contrast to demand response transit service, in which a vehicle is dispatched or routed in response to a potential rider's request. For example, the subway train is a fixed route system; taxis are a demand response service.
- 32** Corridors are part of the ADA definition of paratransit service area. The ADA requires the paratransit service area to include corridors that are $\frac{3}{4}$ mile wide on each side of every bus route. 49 C.F.R. § 37.131(a).
- 33** Many FTA ADA compliance reviews, including these four, found too many trips with excessive lengths, in comparison to the same trips on the fixed route system (including time to travel to and from, and to wait at, the bus or train stops). The second example refers to overly lengthy trips using paratransit as a feeder service.

Finding: “Some ADA Complementary Paratransit trips appear to be excessively long. Of the 24 long trips analyzed in detail, 13 appeared to have significantly longer travel times by ADA Complementary Paratransit than by fixed route. The most frequent ADA Complementary Paratransit ride time issues appear to be related to medium length trips (16-30 miles long) rather than the longest trips in the system.”

Recommendation: “MARTA should consider revising its travel time standard to more accurately reflect comparability between fixed route and ADA Complementary Paratransit trips. A standard that calls for ADA Complementary

Paratransit trips to not be significantly longer than comparable fixed route trips, considering both fixed route on-board times and an allowance for getting to and from stops/stations, is suggested. MARTA should compare long ADA Complementary Paratransit ride times to fixed route travel times using a methodology similar to that used in this assessment. For example MARTA might consider a travel time standard of scheduled fixed route travel time between stops nearest the ADA Complementary Paratransit trip origin and destination, plus 20 or 30 minutes to allow for travel to and from the stop. The analysis should focus on ADA Complementary Paratransit trips with long scheduled ride times.”

Federal Transit Administration ADA Compliance Review of Metropolitan Atlanta Rapid Transit Authority (MARTA), Atlanta, Georgia, *Assessment of ADA Complementary Paratransit Service Capacity Constraints*, conducted September 10 – 14, 2001, Final Report dated March 19, 2002, pp. 45 and 46, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Finding: “The feeder service being provided for those who are determined to be conditionally eligible may result in total travel times that tend to limit people's use of the system. When total travel times are considered, from the first part of the paratransit pick-up window to the final drop-off at the destination, the total time in transit could be significant and may not be comparable to general public fixed route travel time.”

Recommendation: “The feeder service should be closely monitored by PSTA to ensure that passengers are receiving prompt paratransit pick-ups, timely transfers, and convenient service comparable with fixed route service for the same trips. PSTA should compile a random sample of feeder trips for a recent 60-day period and analyze them for total travel time. The analysis should note:

- The beginning of the pick-up window for paratransit service,
- The eventual paratransit pick-up time,
- The time the person was dropped-off at the fixed route transit stop,
- The next scheduled fixed route bus on the route being used,
- The fixed route travel time,
- The pick-up time at the fixed route stop by a second paratransit vehicle (if applicable), and
- The final drop-off at the desired destination.”

Federal Transit Administration ADA Compliance Review of Pinellas Suncoast Transit Authority (PSTA), Pinellas County, Florida, *op. cit.*, pp. 24 – 25.

Finding: “When the actual travel times of 44 long ADA paratransit trips (those with travel times of 2 hours or more) provided between March 19 and March 23 were compared with the estimated travel times for comparable fixed route trips, those DART ADA paratransit travel times were longer than comparable fixed route travel times by an average of 47 minutes. The average paratransit travel time was 141 minutes, while the average fixed route travel time was 94 minutes for long trips. Travel times on ADA paratransit trips exceeded the comparable fixed route travel time by an average of 20 minutes in Kent County, 36 minutes in Sussex County, and 52 minutes in New Castle County.”

Recommendation: “DART should continue to monitor ADA paratransit on-board travel times to ensure that they remain reasonable.”

Recommendation: “DART should review the vehicle runs to and from the facilities whose addresses appear repeatedly on the list of the longest paratransit trips and consider revisions to those runs to avoid repeated long trips for specific riders.”

Federal Transit Administration ADA Compliance Review of Delaware Transit Corporation, Dover, Delaware, *op. cit.*, pp. 73 and 74.

Finding: “Based on a sample of 32 trips of one hour or longer, 13 ADA Complementary Paratransit service trips, which represent approximately 8.6% of all trips, had a travel time of at least 30 minutes longer than the estimated time for a comparable trip on fixed route service.”

Recommendation: “DDOT should consider shortening group runs by adding routes and reassigning trips.”

Recommendation: “DDOT should conduct periodic analysis of long trips to identify significantly long trips and adjust schedules and service levels as needed to eliminate potentially significantly long trips.”

Recommendation: “DDOT should consider a standard for ADA Complementary Paratransit service travel time that is based on comparable fixed route service travel time. Such a standard would better take into account the trip length, traffic

conditions, and the quality of comparable fixed route service than an absolute standard of time.”

Federal Transit Administration ADA Compliance Review of Detroit
Department of Transportation, Detroit, Michigan, *op. cit.*, p. 51.

- 34** Several FTA ADA compliance reviews, including these four, found that transit agencies’ travel time standards were deficient and needed to be changed.

Finding: “ASI’s standard of twice the travel time for long trips may understate the number of significantly long trips.”

Recommendation: “MTA and ASI should review long trips and revise schedules to avoid significantly long trips. Particular attention should be paid to assignment of multiple passengers to long trips.”

Recommendation: “MTA and ASI should review and revise the standard for long trips to assure that significantly long trips are identified as exceeding the standard. MTA and ASI should consider adopting a standard based on fixed route travel time for a comparable trip plus a fixed amount of time.”

Federal Transit Administration ADA Compliance Review of Los Angeles
County Metropolitan Transportation Authority (MTA), Los Angeles,
California, *op. cit.*, p. 52.

Finding: “WMATA currently uses a multiple (1.5) of fixed route travel time as its standard for excessively long trips on MetroAccess. Such a standard will not identify some significantly long trips and will misidentify other trips as significantly long. For example, were a fixed route trip to take 2 hours, a paratransit trip could be 50 minutes longer and not be considered significantly long. Similarly, if a fixed route trip were to take 20 minutes a comparable paratransit trip of 35 minutes would be considered excessively long.”

Recommendation: “In consultation with the disability community, WMATA should consider revising its standard for travel time on MetroAccess. The revised standard should consider all fixed route trips, including rapid rail. The standard should also be an increment of time relative to fixed route travel time rather than a multiple of fixed route travel time.”

Federal Transit Administration ADA Compliance Review of Washington Metropolitan Area Transit Authority (WMATA), Washington, D.C., *op. cit.*, pp. 65 and 66 – 67.

Finding: “AMA’s standard for trip duration is 90 minutes, regardless of distance. Even if met, this standard will not identify many trips that are significantly longer than comparable fixed route trips.”

Federal Transit Administration ADA Compliance Review of Autoridad Metropolitana de Autobuses (AMA) (draft), San Juan, Puerto Rico, *op. cit.*

Finding: “The City of Tucson’s travel time standard stipulates that 80% of all ADA Van Tran trips are to be 90 minutes or less and 100% of trips are to be no more than 120 minutes. For some trips, these standards could allow rides to be excessively long.”

Recommendation: “It is also recommended that the City of Tucson reconsider its current standards for on-board travel times.”

Recommendation: “Van Tran should continue to periodically analyze long trips to identify significantly long trips and to assess trends (e.g., relative to common origins/destinations, times of day, types of riders, or individual riders). This analysis should include both an assessment of scheduled long trips (those the computer estimates will be in excess of the travel time standard), as well as actual travel times taken from driver manifests. Particular attention should be given to group trips and to determining whether group trips should be split onto additional runs.”

Federal Transit Administration ADA Compliance Review of City of Tucson Transit Services Division, Tucson, Arizona, *op. cit.*, pp. 60 – 61.

- 35** In several ADA compliance reviews, including these four, FTA found the need for improved monitoring of travel time. In the first one, the particular issue was monitoring of travel time for trips involving transfers.

Finding: “DART does not directly track the total travel time for paratransit trips that require transfers. DART tracks each leg of such paratransit trips separately and does not track time spent waiting for transfer vehicles. Consequently, DART has no means of identifying trips with transfers that are longer than travel on fixed route, for instance because the paratransit uses a less direct route than the fixed route or because DART has not accounted for wait times at the transfer point.”

Recommendation: "DART should track the total travel time for paratransit trips that have transfers, including the time required for traveling on all legs of the trip and the time spent at transfer points. This total travel time should be compared to the travel time on a comparable fixed route trip between the customer's origin and destination."

Federal Transit Administration ADA Compliance Review of Delaware Transit Corporation, Dover, Delaware, *op. cit.*, pp. 73 and 74.

Finding: "COTA does not appear to regularly track or monitor on-board travel times for paratransit trips."

Recommendation: "COTA should regularly track and monitor on-board travel times for paratransit trips."

Federal Transit Administration ADA Compliance Review of Central Ohio Transit Authority (COTA), Columbus, Ohio, *op. cit.*, pp. 77 and 78.

Finding: "CDTA does not have a policy definition or goal for trip length/duration and does not monitor trip duration performance."

Recommendation: "CDTA should establish a policy definition or goal for trip length/duration of STAR trips and periodically monitor trip duration performance."

Federal Transit Administration ADA Compliance Review of Capital District Transportation Authority, Albany, New York, *op. cit.*, pp. 48 and 49.

Finding: "NYCT's goal is to *schedule* 100% of trips using distance-based travel time standards. The distance parameters overlap potentially causing confusion. NYCT does not have a travel time policy for actual performance of trips and does not measure performance based upon AAR trip travel times."

Recommendation: "NYCT should measure travel time performance and review trips with significantly long AAR travel times when compared to fixed route trips with the same trip characteristics. The analysis should be performed to determine the cause of the long ride times and to identify and implement remedial action to eliminate significantly long trips."

Federal Transit Administration ADA Compliance Review of New York City Transit, New York, *op. cit.*, pp. 126 – 128.

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- 36** In several ADA compliance reviews, including these three, FTA found that transit agencies did not have acceptable travel times because too many riders were grouped together on a single route.

Finding: "The repetition of destination addresses and customers' names on Ride Duration Detail reports appears to indicate that many long travel times occur on regularly scheduled group trips, particularly for the customers that are picked up first in the morning or dropped off last in the afternoon. Residential addresses for customers with long trips are often located on the outskirts of the Transit Plus service area."

Recommendation: "It is suggested that MCTS and the Transit Plus carriers examine regularly scheduled runs on which long travel times occur and estimate fixed route travel times for those trips. In cases where Transit Plus travel times are not comparable to fixed route travel times, breaking those runs into smaller segments should be considered. The Ride Duration Detail reports should be used to identify such runs."

Recommendation: "The Ride Duration Detail reports should also be used to identify customers whose travel times regularly exceed 60 or 120 minutes. If those travel times are not comparable to a similar fixed route trip, assignment of those trips to other runs should be considered."

Federal Transit Administration ADA Compliance Review of Milwaukee County Transit System (MCTS), Milwaukee, Wisconsin, *Assessment of ADA Complementary Paratransit Service Capacity Constraints*, conducted July 10 – 13, 2001, Final Report dated January 11, 2002, pp. 50 and 51, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Finding: "A significant number of VIP rides appear to have excessively long ride times. Eighty-five percent of the 20 long paratransit trips identified for two service days exceeded the maximum travel time standards set by BJCTA. On average, the trip standard was exceeded by 61 minutes. Long rides are often the result of scheduling too many passengers on trips rather than in-service problems. Nine of the 20 long trips examined were *scheduled* with ride times that exceeded the established maximum ride time standard adopted by BJCTA."

Finding: "The problem of too many passengers on trips also is reflected in the comparison of direct distance to on-board miles. For the 20 long trips reviewed, the

average direct distance of the trips was 9 miles. Average on-board mileage was 29 miles, more than three times the direct distance.”

Recommendation: “BJCTA should review existing group runs and split the runs if ride times are found to be excessive.”

Federal Transit Administration ADA Compliance Review of Birmingham Jefferson County Transit Authority (BJCTA), Birmingham, Alabama, *op. cit.*, pp. 50 and 52.

Finding: “Three of the 23 long trips were on one route. This might indicate that the small number of long trips observed result from assignment of too many passenger trips to one route.”

Recommendation: “EBP may want to consider monitoring assignment of trips to routes during the scheduling process to avoid assigning too many trips to one run, potentially resulting in long trip durations.”

Federal Transit Administration ADA Compliance Review of Alameda-Contra Costa Transit District (AC Transit) and San Francisco Bay Area Rapid Transit District (BART), Oakland, California, *op. cit.*, pp. 52 and 53.

37 National Transit Institute, *Paratransit Scheduling and Dispatching Fundamentals*.

38 Several FTA ADA compliance reviews, including these three, found that transit agencies lack any policy, definition, or standard for missed trips, and thus, cannot track or monitor them.

Finding: “GHTD does not have a policy or definition for ‘missed trip.’”

Recommendation: “GHTD should develop a policy for ‘missed trips.’ This policy should include a definition of a missed trip, a standard for the allowable percent of missed trips, and what actions that GHTD and the contractor should take in response to an individual missed trip and to patterns of missed trips.”

Federal Transit Administration ADA Compliance Review of Connecticut Department of Transportation/Greater Hartford Transit District, Hartford, Connecticut, *Assessment of ADA Complementary Paratransit Service Capacity Constraints*, conducted June 25 – 28, 2001, Final Report dated December 20,

2001, p. 37, available at
www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Finding: "MTA does not have a stated policy goal and objective, or standard for missed trips. MTA does not have clear, consistent procedures for defining and categorizing missed trips."

Recommendation: "MTA should adopt a policy, goal and objective, or standard, for missed trips. A consistent definition of missed trips should be used to monitor performance. A missed trip is commonly defined as a trip in which the vehicle fails to arrive within the pickup window and the trip is not completed. MTA and its contractors should record and report all missed trips."

Federal Transit Administration ADA Compliance Review of Maryland Transit Administration (MTA), Baltimore, Maryland, *Assessment of ADA Complementary Paratransit Service Capacity Constraints*, conducted June 17 – 21, 2002, Final Report dated January 16, 2003, pp. 46 and 47, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Finding: "Metro appears to have no policy for missed trips."

Recommendation: "Metro should adopt a performance standard for missed trips."

Recommendation: "Metro should monitor missed trips and take action as necessary to minimize the number of missed trips such that there are not a substantial number of missed trips."

Recommendation: "Metro should modify its procedures for performance measurement to include identification and measurement of missed trips."

Federal Transit Administration ADA Compliance Review of Metro, St. Louis, Missouri, *op. cit.*, pp. 57 and 58.

- 39** Several FTA ADA compliance reviews, including this one, identified significant numbers of missed trips.

Finding: "It appears that a significant number of requested trips may not be served by the carriers. This finding is supported by both consumer comments and customer complaints. Based upon review of the available data, trips not performed by the Palm Trans carriers could range from 2 to 6 % of trips requested."

Recommendation: "Palm Tran should institute a procedure to account for all requested trips not served by the carriers. Palm Tran should also institute a procedure to measure on-time performance for all trips provided by its carriers, including PBT."

Federal Transit Administration ADA Compliance Review of Palm Tran Incorporated (Palm Tran), Palm Beach County, Florida, *op. cit.*, pp. 37 and 39.

- 40 Several FTA ADA compliance reviews, including these four, found incorrect classification or coding of missed trips.

Finding: "One hundred and seventy eight trip records in the sample week had a no-show code indicating that the rider was at fault. Twenty of these 178 trip records indicated that the vehicle arrived more than 30 minutes after the negotiated pickup time—beyond the pickup window, when the rider no longer had an obligation to wait for the vehicle. Another four trip records indicated that the vehicle arrived at least 30 minutes before the negotiated pickup time. There is a reasonable likelihood that the operator did not wait for at least 5 minutes into the pickup before leaving."

Federal Transit Administration ADA Compliance Review of Pierce Transit, Tacoma, Washington, *op. cit.*

Finding: "MTA's service reports identified only three missed trips in the three months from March through May 2002. Yellow Van staff indicated that some that were classified as no-shows were actually missed trips. For three sample days, 9% of trips were classified as no-shows. A review of selected no-shows indicates that 25 to 30% of these trip requests, or 2 to 3% of all trip requests, were missed trips."

Recommendation: "MTA should adopt a policy, goal and objective, or standard, for missed trips. A consistent definition of missed trips should be used to monitor performance. A missed trip is commonly defined as a trip in which the vehicle fails to arrive within the pickup window and the trip is not completed. MTA and its contractors should record and report all missed trips."

Federal Transit Administration ADA Compliance Review of Maryland Transit Administration (MTA), Baltimore, Maryland, *op. cit.*, pp. 46 and 47.

Finding: "Based upon a review of Call-A-Ride data reports for February 9, 2005, it appears that Metro does not record missed trips as a category for performance

monitoring purposes. Missed trips appear to be grouped with customer no-shows and late cancellations.”

Finding: “Analysis of data for the sample day indicated that for 10 trips (0.6 percent of the 1,752 ADA trips dispatched on the service day) that were not completed; the vehicle arrived at the pickup address more than 15 minutes after the scheduled time. For 47 trips (2.7 percent) that were not completed, there was no vehicle arrival time. All of these trips could be missed trips—resulting in as many as 57 (3.3 percent) missed trips. Some of these trips could also be late cancellations.”

Federal Transit Administration ADA Compliance Review of Metro, St. Louis, Missouri, *op. cit.*, pp. 57 and 58.

Finding: “A review of Trapeze data for September 9 to 15, 2007, identified 65 potential missed trips. By comparison, only five trips categorized as missed trips in the AMA ‘Route Productivity Report.’ Each of the 65 identified trips involved a scheduled trip that was not recorded as having been completed. For 12 of those trips, the driver arrived outside of the pickup window and for 53 trips, the driver failed to arrive at all.”

Federal Transit Administration ADA Compliance Review of Autoridad Metropolitana de Autobuses (AMA) (draft), San Juan, Puerto Rico, *op. cit.*

- 41 Letter of Finding by John R. Day, Acting ADA Team Leader, Office of Civil Rights, Federal Transit Administration, December 18, 2008, regarding FTA Complaint No. 07-0203 against Access Transportation, the King County Metro paratransit service, Seattle metropolitan area, Washington State.
- 42 National Council on Disability, *The Current State of Transportation For People With Disabilities in the United States*, June 13, 2005, pp. 97 – 99.
- 43 This requirement is not in the DOT ADA regulation, but rather in what is called Part 27. Part 27 contains other transit agency obligations including the DOT regulation for Section 504 of the Rehabilitation Act of 1973, another disability rights law. Part 27, which is formally cited as 49 C.F.R. Part 27, is available at www.fta.dot.gov/civilrights/ada/civil_rights_3907.html. The reporting requirement is at 49 C.F.R. § 27.13(b), 49 C.F.R. Subpart C, §§ 27.121 – 27.129.
- 44 Federal Transit Administration Office of Civil Rights, *Rider Complaint Form*, available at www.fta.dot.gov/civilrights/ada/civil_rights_3889.html.

45 Letters by Cheryl Hershey, then ADA Team Leader, Office of Civil Rights, Federal Transit Administration, to Richard DeRock, then Access Services, Inc. Executive Director, Los Angeles, May 14 and 27, 1999, and May 13, 1999, Letter of Finding regarding FTA Complaint No. 98006 against Access Services, Inc., ADA paratransit provider in Los Angeles, California.

46 National Transit Institute, *Paratransit Scheduling and Dispatching Fundamentals*.

47 Many FTA ADA compliance reviews, including these two, have expressed concern that transit agencies lack sufficient capacity to serve all trips on time.

Finding: "Palm Tran carriers do not appear to have sufficient capacity to serve all of the scheduled trips on-time. Specifically, AAA does not appear to have a sufficient number of trained operators to cover its schedule and accommodate normal absenteeism. PBT appears to be assigned many more daily trips than reflected in its contract and more trips than it can serve on time. Palm Tran indicated that they have plans to add a carrier, in addition to reorganizing SpecTran services."

Finding: "The number of trip requests accepted and scheduled by reservationists appears to exceed the capacity of the carriers to serve those the trips with on-time pick ups."

Federal Transit Administration ADA Compliance Review of Palm Tran Incorporated (Palm Tran), Palm Beach County, Florida, *op. cit.*, p. 37.

Finding: "Although the MetroAccess practice of accepting all trip requests avoids service denials, it appears to contribute to some trips being served significantly late or being missed by the service provider."

Federal Transit Administration ADA Compliance Review of Washington Metropolitan Area Transit Authority (WMATA), Washington, D.C., *op. cit.*, p. 49.

48 An FTA determination in this ADA compliance review reinforced the importance of dynamic planning and budgeting.

Finding: "The BJCTA budget for ADA Complementary Paratransit service does not reflect a steady increase in recent years needed to accommodate expected increases in demand. The budget and corresponding expenses were held constant for several years. One increase in April of 2001 was approved. Prior to April 2001,

requests for increases in funding for ADA Complementary Paratransit service do not appear to have been approved for several years.”

Recommendation: “BJCTA should adopt a budgeting and service expansion policy that allows for a growth of authorized vehicle-hours throughout the year. If a 5% growth in demand is anticipated by the end of the next year, service hours, as adjusted for seasonal variations, should be increased throughout the year to accommodate new trips so that adequate hours to meet a 5% increase are in place by the end of the year.”

Federal Transit Administration ADA Compliance Review of Birmingham Jefferson County Transit Authority (BJCTA), Birmingham, Alabama, *op. cit.*, pp. 60 and 61.

- 49** Many FTA ADA compliance reviews made important points about monitoring on-time performance in ADA paratransit, including the twelve listed below. The initial two examples contain FTA statements about the relationship of monitoring to ADA compliance. The third addresses monitoring of supplemental taxi service. All of the first six contain important operational practice information and performance measures that indicate some of the forms of monitoring that are important to FTA. After the first six reviews, six additional ADA compliance reviews are listed that include similar FTA findings related to on-time performance monitoring.

Finding: “Wichita Transit has contracts with six private social service agencies in a ‘Van Lease/ Purchased Transportation’ program. The agencies do not provide WT with information on trip lengths, pickup and drop-off times, or on-time performance. WT does not monitor passenger trip lengths or on-time performance of any of its contractors. As a result, there is no regular means of monitoring on-time performance and trip duration for contract carriers. This lack of monitoring appears to be inconsistent with 49 CFR 37.23(a), which requires a public entity using a contractor to provide demand responsive service to ‘ensure that the private entity meets the requirements of this part that would apply to the public entity if the public entity itself provided the service.’”

Finding: “Wichita Transit’s contractors do not collect or report information relating to on-time performance. Wichita Transit does not monitor the on-time performance of its contractors. ... This lack of monitoring appears to be inconsistent with 49 CFR 37.23(a).”

Finding: “Wichita Transit’s contractors did not have data available to evaluate their performance for lengthy trips. Wichita Transit does not monitor the trip lengths of

its contactors. ... This lack of monitoring appears to be inconsistent with 49 CFR section 37.23(a)."

Recommendation: "Wichita Transit should monitor the service of its contractors to ensure that the service they are providing to their riders is meeting the service standards that WT meets for the riders that it serves directly. To accomplish this, WT should require its contractors to provide all information that will allow it to monitor compliance with WT's service policies, including scheduled and actual pickup and drop-off times for ADA Complementary service passenger trips, and reports on completed, and missed trips and on-time performance."

Recommendation: "Wichita Transit should have its contractors record and report pickup times and drop-off times for all ADA Complementary Paratransit service trips. WT should monitor the performance of its contractors and work with them to remedy any problems with on-time performance."

Recommendation: "Wichita Transit should have all drivers – both its own and the contractor drivers – record pickup and drop-off times for all passenger trips."

Recommendation: "Transit should conduct periodic analysis of long trips, including those served by contract carriers, to identify significantly long trips, if any, and assess patterns, e.g., relative to particular carriers, times of day, types of riders, or individual riders."

Recommendation: "If patterns of long trips are found, Wichita Transit should review its schedules and take corrective action as needed to eliminate the pattern and reduce the number of long trips."

Federal Transit Administration ADA Compliance Review of Wichita Transit, Wichita, Kansas, *op. cit.*, pp. 32, 35, 36, 40, and 41.

Finding: "AMA does not have a performance standard for on-time pickups and does not track on-time performance for pickups. Effective self-assessment of compliance with the DOT ADA requirement to avoid untimely pickups requires such measurements."

Federal Transit Administration ADA Compliance Review of Autoridad Metropolitana de Autobuses (AMA) (draft), San Juan, Puerto Rico, *op. cit.*

Finding: "TAD does not collect information on pickup and drop-off times for the Lift trips that are provided through the supplemental taxi service."

Finding: "Tulsa Transit does not measure on-time pickups for all completed passenger trips. Pickup times were not recorded for TAD taxi trips, which comprised approximately 20 percent of passenger trips during the period September 2001 through February 2002. As a result, it is not possible to determine the full number of untimely pickups."

Finding: "Tulsa Transit does not use appointment times in scheduling. It does not measure on-time drop-offs for appointments."

Recommendation: "Tulsa Transit should make sure that TAD records pickup and drop-off times for its taxi trips and reports this information to Tulsa Transit."

Recommendation: "Tulsa Transit should measure on-time performance for all trips, including taxi trips. This might be done by requiring taxi drivers to complete trip information on trip tickets as a requirement for reimbursement. Trip ticket pickup times then can be entered into Tulsa Transit database and used to track on-time performance for all trips."

Recommendation: "For many trips, such as medical appointments, work trips or trips to school, arrival time at the destination is more important to the customer than the pickup time. Tulsa Transit should consider scheduling such trips to meet *appointment times* and measuring *on-time performance for drop-offs* for such trips."

Federal Transit Administration ADA Compliance Review of Metropolitan Tulsa Transit Authority, Tulsa, Oklahoma, *op. cit.*, pp. 33, 34, and 39.

Finding: "Overall, the ADA Complementary Paratransit service provided by the two carriers appears to function within the on-time pick-up window standards established by PSTA. However, it should be noted that Paratransit, Inc. does not report actual driver-reported pick-up times. Instead, Paratransit, Inc. time-stamps pick-up times based on when the dispatcher radios the driver 15 minutes prior to the scheduled pick-up time Consequently, the biweekly 'Late Report' provided to PSTA for on-time performance and carrier penalties, does not represent actual driver-recorded pick-up times. Further, the carrier does not retain driver manifests so the driver-reported pick-up and drop-off times are discarded within a week of service being provided."

Recommendation: "The practice of dispatchers time-stamping passenger pick-up times based on a radio check with drivers to see if they 'think' they will be on-time should be changed. Instead, PSTA should require that reports be generated based on actual, driver-reported pick-up times, rather than dispatch time-stamped times. Further, the original manifests (or drivers logs) that include the driver-reported pick-up and drop-off times should be maintained for at least six months to allow PSTA personnel time to review and audit this information on an ongoing basis."

Federal Transit Administration ADA Compliance Review of Pinellas Suncoast Transit Authority (PSTA), Pinellas County, Florida, *op. cit.*, p. 21.

Finding: "Based on the analysis of sample trips conducted as part of the assessment, the on-time performance reported in BJCTA monthly service reports does not appear to be accurate. Actual trip information does not appear to have been regularly entered into the StrataGen system. Reported performance was therefore based on general information from staff rather than on actual ride times."

Finding: "BJCTA does not appear to regularly monitor VIP ride times. A recent 'Exceptions' report was designed to begin monitoring ride times, but this report uses on-board miles rather than direct miles to compare ride times to the maximum travel time standard adopted."

Recommendation: "It is recommended that BJCTA begin generating on-time performance reports based on actual trip information as recorded on manifests. This will require actual trip information to be entered into the system. Given all of the issues that need to be addressed, BJCTA should consider entering actual trip information from here forward, but may want to delay catching up on prior months until service and staffing issues are addressed."

Recommendation: "BJCTA should change the current long ride 'Exceptions' report to use direct trip miles. BJCTA should generate this report each month to better monitor ride times and to ensure that ride times do not exceed established ride time standards."

Federal Transit Administration ADA Compliance Review of Birmingham Jefferson County Transit Authority (BJCTA), Birmingham, Alabama, *op. cit.*, pp. 50 and 52.

Finding: "Palm Tran does not appear to maintain an accounting of trips missed by the carriers. In addition, Palm Tran does not appear to have records of on-time performance for a large portion of trips provided by one of its carriers, Palm Beach Transit. As a result it is not possible to accurately measure missed trips and on-time performance for all requested trips."

Recommendation: "Palm Tran should institute a procedure to account for all requested trips not served by the carriers. Palm Tran should also institute a procedure to measure on-time performance for all trips provided by its carriers, including PBT."

Federal Transit Administration ADA Compliance Review of Palm Tran Incorporated (Palm Tran), Palm Beach County, Florida, *op. cit.*, pp. 38 and 39.

These six ADA compliance reviews also include FTA findings related to monitoring of on-time performance.

Federal Transit Administration ADA Compliance Review of Delaware Transit Corporation, Dover, Delaware, *op. cit.*, pp. 72 and 74.

Federal Transit Administration ADA Compliance Review of Metro-Dade Transit Agency, Special Transportation Services, Miami, Florida, *Assessment of ADA Complementary Paratransit Service Capacity Constraints*, conducted February 12 – 15, 2001, Final Report dated September 6, 2001, pp. 31, 32, and 35, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Federal Transit Administration ADA Compliance Review of Capital District Transportation Authority, Albany, New York, *op. cit.*, pp. 48 and 49.

Federal Transit Administration ADA Compliance Review of Transportation District Commission of Hampton Roads (Hampton Roads Transit), Hampton, Virginia, *Compliance Review of ADA Complementary Paratransit Service*, conducted October 8 – 11, 2002, Final Report dated January 28, 2005, p. 50, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

Federal Transit Administration ADA Compliance Review of Pierce Transit, Tacoma, Washington, *op. cit.*

Federal Transit Administration ADA Compliance Review of Sun Metro LIFT, El Paso, Texas, *op. cit.*, pp. 24 and 25.

50 49 C.F.R. § 37.133(b) and 49 C.F.R. Part 37, App. D, § 37.133.

51 In this ADA compliance review, FTA found that if a transit agency has no denials for paratransit service, there is no need to limit the amount of paratransit capacity dedicated to subscription service. FTA recommended accepting all requests for subscription service, in order to reduce the number of on-call trips that must be addressed in the reservations and scheduling process.

Finding: "Although there appear to be no denials for TARPS service, TARTA's contract with Laidlaw limits subscription trips to 50% of the trips during any hour of the service day."

Recommendation: "TARTA should consider accepting all requests for subscription trips without limit to reduce the number of on-call trips to be addressed in the reservations and scheduling process."

Federal Transit Administration ADA Compliance Review of Toledo Area Regional Transit Authority (TARTA), Toledo, Ohio, *Assessment of ADA Complementary Paratransit Service Capacity Constraints*, conducted April 2 – 5, 2001, Final Report dated September 10, 2001, p. 32, available at www.fta.dot.gov/civilrights/ada/civil_rights_3899.html.

52 This FTA ADA compliance review addressed the need for subscription trips to be anchored to specific runs:

Finding: "Problems appear to exist in the functioning of the StrataGen system, the use of the system, or both. Subscription trips, which should be anchored to specific runs, appear to move around in the system. One subscription trip was even observed to move from a scheduled run to the standby list. These types of system problems appear to be contributing to poor on-time performance and missed trips (if the standby and wait lists are not constantly monitored). It was not clear whether these problems are due to system design or incorrect use of the system by staff."

Federal Transit Administration ADA Compliance Review of Birmingham Jefferson County Transit Authority (BJCTA), Birmingham, Alabama, *op. cit.*, p. 51.

- 53 In this ADA compliance review, FTA found that a form of per-trip payment in ADA paratransit contracting can lead to on-time performance problems.

Finding: "Payment of drivers on a per trip basis could result in drivers pressuring passengers to leave before the pick up window as a means of completing more passenger trips during a work shift. It may also deter drivers from reporting when they are behind schedule in order to avoid losing passenger trips through reassignment."

Federal Transit Administration ADA Compliance Review of Metro-Dade Transit Agency, Special Transportation Services, Miami, Florida, *op. cit.*, p. 32.

- 54 In this ADA compliance review, FTA singled out problems with unscheduled trips.

Finding: "Scheduler time appears to be diverted away from a thorough review of all runs and creation of the best possible schedules by the constant need to handle 'unscheduled trips' and 'capacity denials.'"

Recommendation: "MARTA also needs to program enough runs in the system to avoid having so many 'unscheduled trips.' This would allow schedulers to focus on reviewing runs on an ongoing basis and creating more workable schedules."

Federal Transit Administration ADA Compliance Review of Metropolitan Atlanta Rapid Transit Authority (MARTA), Atlanta, Georgia, *op. cit.*, pp. 45 and 46.

Similar conclusions were also reached in Multisystems, Inc., *Innovative Practices in Paratransit Services*, Easter Seals Project ACTION, April 2002, p. 29.

- 55 Several FTA ADA compliance reviews, including these four, have addressed on-time performance problems due to inadequate run coverage.

Finding: "MARTA appears to be using drafted and extra board drivers to cover regular runs created to accommodate trip requests. This causes a shortage of extra board drivers to cover call-outs on the day of service."

Finding: "Without adequate driver back-up capability, runs are regularly 'split-up' on the day of service and trips are reassigned to covered runs. These add-ons on the day of service appear to negatively affect on-time performance and ride times."

Finding: "Dispatchers appear to spend a significant amount of time reassigning trips from uncovered runs, which may be distracting them from proactively managing drivers. With little or no back-up service capacity, though, there are often no other options for proactively handling same day problems and issues."

Recommendation: "MARTA should develop adequate driver and service capacity to meet trip demand without using extra board drivers to cover regularly scheduled runs. An adequate number of extra board drivers should be available on the day of service to cover driver absences as well as issues that develop throughout the day."

Recommendation: "MARTA also needs to program enough runs in the system to avoid having so many 'unscheduled trips.' This would allow schedulers to focus on reviewing runs on an ongoing basis and creating more workable schedules."

Recommendation: "With additional runs in the system, MARTA should then work to minimize excessively long ADA Complementary Paratransit trips. Schedulers should then have the ability to re-route any rides that appear to be excessively long."

Recommendation: "With an adequate extra board, dispatchers should then be able to focus on proactively tracking all runs on an ongoing basis. We recommend that MARTA work toward a dispatch system that would have all drivers calling in all pick-ups and drop-offs so that dispatchers are aware of the status of all runs at all times."

Federal Transit Administration ADA Compliance Review of Metropolitan Atlanta Rapid Transit Authority (MARTA), Atlanta, Georgia, *op. cit.*, pp. 45 and 46.

Finding: "There does not appear to be a sufficient number of drivers to cover for absenteeism or accommodate unanticipated service needs. Driver shortages can cause trips to be reassigned, leading to schedules that are too tight, thereby contributing to late and missed trips."

Recommendation: "DDOT and ATC should review driver requirements and increase the number of drivers to provide adequate backup, or revolver drivers, to cover all runs. DDOT should consider having one or more standby drivers during service hours to cover unanticipated needs."

Federal Transit Administration ADA Compliance Review of Detroit Department of Transportation, Detroit, Michigan, *op. cit.*, pp. 44 – 45.

Finding: "Dispatchers noted that there are no backup drivers available to cover unplanned absences. According to dispatchers, the lack of backup drivers has left runs uncovered, particularly in the morning when there are unscheduled absences."

Federal Transit Administration ADA Compliance Review of Autoridad Metropolitana de Autobuses (AMA) (draft), San Juan, Puerto Rico, *op. cit.*

Finding: "On-time performance appears to be impacted significantly by the lack of drivers or by the late arrival of drivers to begin scheduled runs. This seems to be an issue both of driver recruitment and retention and of contract carriers maintaining an adequate number of extra-board/back-up drivers."

Recommendation: "SEPTA should consider ways to ensure that an adequate number of drivers are available at each carrier to perform the runs assigned. If carriers are unable to have drivers available, SEPTA should consider ways to obtain more reliable contractor capacity."

Federal Transit Administration ADA Compliance Review of Southeastern Pennsylvania Transportation Authority (SEPTA), Philadelphia, Pennsylvania, *op. cit.*, p. 52.

Similar conclusions were also reached in Multisystems, Inc., *Innovative Practices in Paratransit Services*, Easter Seals Project ACTION, April 2002, p. 14.

- 56** In several ADA compliance reviews, including these two, FTA has addressed inadequate run coverage due to insufficient vehicles.

Finding: "ATC had 41 passenger vehicles to serve 38 routes. This appears to be insufficient to provide for disabled vehicles and may be contributing to road calls, thereby contributing to late and missed trips."

Recommendation: "DDOT should consider increasing the MetroLift passenger fleet to provide at least 10% spares: a total of 43 vehicles. DDOT may want to consider purchasing vehicles and leasing them to the carrier. This would enable DDOT to finance the vehicles with federal assistance and also provide for a stable fleet when transitioning from one operator contract to the next."

Federal Transit Administration ADA Compliance Review of Detroit Department of Transportation, Detroit, Michigan, *op. cit.*, pp. 44 – 45.

Finding: "There are insufficient vehicles available for daily service to cover all scheduled runs. On Wednesday, September 12, 2007, Llame y Viaje had two drivers without vehicles for both the morning and afternoon runs. During most weekday mornings for the week of September 9 to 15, 2007, Llame y Viaje had no spare vehicles available. According to dispatchers and drivers, midday runs are often delayed because of the lack of available vehicles."

Federal Transit Administration ADA Compliance Review of Autoridad Metropolitana de Autobuses (AMA) (draft), San Juan, Puerto Rico, *op. cit.*

- 57** In this ADA compliance review, FTA found that when the first trips on a run are late, it is often based on late pullouts:

Finding: "On 26 of the 53 manifests (49 percent) for September 12, 2007, the driver was late, sometimes by hours, for the earliest scheduled pickup. These late pickups are caused by either drivers failing to begin their runs on-time or schedules allowing insufficient time for drivers to travel from the garage to the first pickup."

Federal Transit Administration ADA Compliance Review of Autoridad Metropolitana de Autobuses (AMA) (draft), San Juan, Puerto Rico, *op. cit.*

- 58** In many ADA compliance reviews, including these six, FTA addressed problems related to the accurate, thorough capture of trip information.

Finding: "Calltakers do not always confirm pickup addresses or specific pickup locations with customers. This can result in drivers going to the wrong location, late or missed pickups, and subsequent service delays."

Finding: "Calltakers do not always confirm customer telephone numbers at pickup locations. As a result, Logisticare sometimes is not able to contact customers, which leads to no-shows."

Finding: "It appears that address information for pickup locations is frequently incorrect or of insufficient detail to locate customers. This contributes to missed or delayed pickups."

Recommendation: "Call takers should be instructed to confirm pickup addresses or specific pickup locations and customer telephone numbers at pickup locations with customers each time they make a trip request."

Recommendation: "Call takers should confirm address information and pickup locations for both going and return trips each time a trip request is accepted from a customer."

Federal Transit Administration ADA Compliance Review of Washington Metropolitan Area Transit Authority (WMATA), Washington, D.C., *op. cit.*, pp. 27, 28, and 42.

Finding: "Reservationists were inconsistent in confirming trip information with customers."

Federal Transit Administration ADA Compliance Review of Capital District Transportation Authority, Albany, New York, *op. cit.*, p. 33.

Finding: "Call takers were not consistent in asking for information from callers making a trip request. Call takers were not consistent in confirming trip information after booking a trip."

Federal Transit Administration ADA Compliance Review of Detroit Department of Transportation, Detroit, Michigan, *op. cit.*, p. 31.

Finding: "Call-takers were not consistent in confirming other components of the trip request, such as addresses, telephone numbers, use of mobility devices, and need for a PCA."

Recommendation: "MVRTA should consider having the call-takers confirm trip information such as the pickup and drop-off addresses, telephone numbers, use of mobility devices, and need for a PCA to ensure clear customer communications."

Federal Transit Administration ADA Compliance Review of Merrimack Valley Regional Transit Authority (MVRTA), Haverhill, Massachusetts, *op. cit.*, p. 40.

Finding: "The assessors observed some variation in the practices used to verify trip information among call taker/schedulers. For example, some schedulers would verify the 'home' address automatically recalled by the system if a rider indicated that they would be traveling from home. Other schedulers did not do this. Confirmation of trip information can avoid problems with serving trips."

Recommendation: "The R-GRTA should consider expanding its call handling script/guidance to instruct schedulers to verify certain key information. This should

include verifying the mobility aids that will be used (which appears to be done now on a consistent basis), as well as confirming the 'home' addresses automatically recalled by the scheduling system if riders indicate they are traveling to and from 'home' (which appears to now be done only by some schedulers). Adding instructions to the scripts about the trip information that should always be requested and verified will improve the accuracy and consistency of the trip scheduling process."

Federal Transit Administration ADA Compliance Review of Rochester-Genesee Regional Transportation Authority (R-GRTA), Rochester, New York, *op. cit.*, pp. 51 – 52.

Finding: "During interviews with paratransit operators, one operator indicated that the passenger's use of a wheelchair does not always appear on the manifest."

Recommendation: "DART should make sure that the proper information about customers' disabilities and mobility aids is included on the operator manifests."

Federal Transit Administration ADA Compliance Review of Delaware Transit Corporation, Dover, Delaware, *op. cit.*, pp. 72 and 74.

- 59** In this ADA compliance review, FTA found that inadequate staffing in Reservations had negative consequences for on-time performance.

Finding: "The reservations and scheduling functions appear to be understaffed. Given current duties and responsibilities, reservationists do not have the time to enter trips directly into the StrataGen system. As a result, a hybrid paper/automated system is being used to book and schedule rides. The current system does not permit ride times to be negotiated in real-time, requires multiple handling of trip information (which can cause inaccuracies), and requires that call-backs be made to inform riders of scheduled pick-up times."

Federal Transit Administration ADA Compliance Review of Birmingham Jefferson County Transit Authority (BJCTA), Birmingham, Alabama, *op. cit.*, p. 51.

- 60** In several ADA compliance reviews, including these two, FTA addressed the importance of staff review and fine-tuning of schedules. In the first, FTA pointed out problems; in the second, FTA lauded the effectiveness of scheduling practices, including the review and improvement of schedules.

Finding: "Significant staff effort is dedicated at Transit Express to developing workable schedules and to monitoring operators and runs on the day of service. Operators appear to be checking-in frequently with dispatchers at Transit Express to provide an update on the status of runs and to receive direction and instructions for continuing runs. The schedulers at Laidlaw, on the other hand, appear to rely more on the automated system to develop and 'clean-up' schedules. The dispatchers at Laidlaw also appear to rely more on operators to report current or potential schedule problems. These methods of operation at Laidlaw could be contributing to on-time performance problems."

Recommendation: "It is recommended that Laidlaw Transit commit additional staff time to manual reviews and 'clean-up' of schedules created by the automated system."

Federal Transit Administration ADA Compliance Review of Milwaukee County Transit System (MCTS), Milwaukee, Wisconsin, *op. cit.*, pp. 49 and 50.

Finding: "The scheduling process appears to be well structured. NYCT and First Transit staff appeared highly knowledgeable of the scheduling process and software. Staff appears to be pro-active in reviewing schedules, addressing scheduling problems, and seeking out improvements to the scheduling process and resultant schedules."

Finding: "By working with the operators, NYCT appears to effectively address scheduling issues that affect service performance."

Finding: "There appear to be adequate First Transit schedulers on duty throughout the week to handle trip-scheduling responsibilities, including customer callbacks, as needed."

Federal Transit Administration ADA Compliance Review of New York City Transit, New York, *op. cit.*, pp. 76 and 77.

61 Multisystems, Inc., *Innovative Practices in Paratransit Services*, Easter Seals Project ACTION, April 2002, p. 14.

62 Many FTA ADA compliance reviews, including these four, contain findings regarding the importance of proactive dispatching and the variety of problems resulting from reactive dispatching.

Finding: "The Onondaga dispatcher does not actively track the status of operators' schedule adherence. The dispatcher discovers that operators are running late only when they report that they are running late or request a no-show approval. This reactive method prevents the dispatcher from identifying and addressing service delays before they occur."

Recommendation: "Dispatcher procedures should be revised to track schedule status of all runs at each stop on the run. This would enable dispatchers to identify service problems in advance and address delays in advance by reassigning trips. Such procedural changes could reduce the number of late and missed trips."

Federal Transit Administration ADA Compliance Review of Central New York Regional Transportation Authority, Syracuse, New York, *op. cit.*, pp. 94 and 95.

Finding: "Reviewers observed some dispatchers at MV as much as 60-90 minutes late in polling drivers and devoting little time to monitoring late runs and taking corrective action."

Finding: "The skill of the dispatchers appeared to be good but varied among operators and among dispatchers, which is to be expected in a large operation with personnel having differing amounts of experience. While some operators, particularly those with more experienced dispatchers, appeared to be very effective at monitoring their runs and quickly taking corrective actions when delays occurred and working cooperatively, others, particularly at MV, appeared to have difficulty tracking their runs and identifying and correcting problems."

Recommendation: "NYCT should encourage MV to consider expanding its staff of dispatchers and providing additional training for its dispatchers. Additional training might also be appropriate for dispatchers at other operators as well."

Federal Transit Administration ADA Compliance Review of New York City Transit, New York, *op. cit.*, pp. 124 and 127.

Finding: "Problems created by the extra steps required to manually record trip requests and then schedule them after the fact also appears to be impacting the dispatch function. Dispatchers do not appear to have the time to keep track of all runs on an ongoing basis to ensure that pick-ups and drop-offs are performed in a timely manner and to proactively rearrange schedules should in-service problems arise."

Recommendation: "With more adequate staffing of the reservations, scheduling, and dispatch areas, BJCTA should consider requiring that First Transit ... maintain adequate dispatch control. Drivers should be required to radio-in each pick-up and drop-off so that dispatchers have a current understanding of the status of each run. Dispatchers should also be required to be proactive in recognizing problems in advance and moving trips to back-up vehicles or other runs to keep the service running on time."

Federal Transit Administration ADA Compliance Review of Birmingham Jefferson County Transit Authority (BJCTA), Birmingham, Alabama, *op. cit.*, pp. 51 and 52.

Finding: "Dispatchers appear to spend a significant amount of time reassigning trips from uncovered runs, which may be distracting them from proactively managing drivers. With little or no back-up service capacity, though, there are often no other options for proactively handling same day problems and issues."

Recommendation: "With an adequate extra board, dispatchers should then be able to focus on proactively tracking all runs on an ongoing basis. We recommend that MARTA work toward a dispatch system that would have all drivers calling in all pick-ups and drop-offs so that dispatchers are aware of the status of all runs at all times."

Federal Transit Administration ADA Compliance Review of Metropolitan Atlanta Rapid Transit Authority (MARTA), Atlanta, Georgia, *op. cit.*, pp. 45 and 46.

- 63** Several FTA ADA compliance reviews, including these three, highlighted the need for additional dispatching staff:

Finding: "Contract carriers often have difficulty communicating with the Onondaga CAB dispatcher. Operators (using cell phones) communicate with dispatch through one telephone line that is also used to handle advance cancellations and information requests from customers. Answering customer calls diverts dispatchers from their primary responsibility of tracking service, identifying problems, and assisting operators to avoid service delays."

Federal Transit Administration ADA Compliance Review of Central New York Regional Transportation Authority, Syracuse, New York, *op. cit.*, p. 94.

Finding: "A lack of ongoing dispatch control appears to be contributing to poor on-time performance. Drivers do not radio-in pick-ups and drop-offs, and dispatchers do not routinely check on the status of all runs. The current operating practice relies heavily on riders to notify the dispatch center to make staff aware that vehicles are running late."

Federal Transit Administration ADA Compliance Review of Birmingham Jefferson County Transit Authority (BJCTA), Birmingham, Alabama, *op. cit.*, p. 56.

Finding: "There is only one same-day dispatcher who serves as a contact for all of the CSRs in the call center. This creates a communications bottleneck that can result in long rider hold times, particularly during peak operating hours."

Federal Transit Administration ADA Compliance Review of Pierce Transit, Tacoma, Washington, *op. cit.*

- 64** In many ADA compliance reviews, including these seven, FTA found that vehicle operators did not know or understand the pickup window.

Finding: "Three of the nine drivers interviewed by the assessment team did not know that the pickup window was 10 minutes before until 10 minutes after the scheduled pickup time. This lack of awareness can cause drivers to arrive for pickups earlier than they should or later than they need to, and may also cause misunderstandings with customers."

Recommendation: "ATC should instruct drivers in the definition of the pickup window and procedures for declaring a customer a no-show. DDOT should consider printing the pickup window on manifests to make clear to the driver the time the customer expects the vehicle to arrive."

Federal Transit Administration ADA Compliance Review of Detroit Department of Transportation, Detroit, Michigan, *op. cit.*, p. 45.

Finding: "Not all drivers knew the correct pick-up window of –5 minutes/+25 minutes. This could contribute to drivers encouraging passengers to leave early, late pick-ups and miscommunication with customers."

Recommendation: "NYCT should consider refresher training for drivers to include: reading and understanding the estimated and negotiated times on the manifests;

understanding the pick-up window; and procedures for obtaining authorization for route changes.”

Federal Transit Administration ADA Compliance Review of New York City Transit, New York, *op. cit.*, pp. 125 and 128.

Finding: “Several drivers from one carrier appeared unclear as to the definition of the pickup window used by ASI.”

Recommendation: “Drivers should be reminded that the pickup window is from the scheduled time to 20 minutes after the scheduled time.”

Federal Transit Administration ADA Compliance Review of Los Angeles County Metropolitan Transportation Authority (MTA), Los Angeles, California, *op. cit.*, p. 46.

Finding: “Two of nine drivers interviewed did not know the correct pickup window. Four drivers said that riders do not understand the concept of the pickup window. Driver and rider failure to understand the pickup window can result in late or missed trips.”

Federal Transit Administration ADA Compliance Review of Autoridad Metropolitana de Autobuses (AMA) (draft), San Juan, Puerto Rico, *op. cit.*

Finding: “It appears that the existence of three different standards over a 19-month period has led to confusion among both users and drivers of the system as to what constitutes ‘on-time performance.’ In interviews with drivers, several believed that the standard was still 15 minutes early to 15 minutes late.”

Recommendation: “It is recommended that the MCTS expand its effort to inform all of its customers and drivers about the recently enacted on-time performance standard through an expanded public outreach effort.”

Recommendation: “It is recommended that call takers notify customers of the pick up window time range when confirming scheduled trips with customers. For example, ‘your pick up time has been scheduled for 8:00 a.m. on _____. This means that a vehicle will pick you up between 8:00 a.m. and 8:25 a.m.’”

Federal Transit Administration ADA Compliance Review of Milwaukee County Transit System (MCTS), Milwaukee, Wisconsin, *op. cit.*, pp. 49 and 50.

Finding: "Some drivers did not know the correct on-time pickup window of -10/+10 minutes."

Recommendation: "PVRTA should make sure that drivers for all carriers are instructed in the on-time pickup window and understand the window."

Federal Transit Administration ADA Compliance Review of Pioneer Valley Transit Authority, Springfield, Massachusetts, *op. cit.*, p. 36.

Finding: "Five of the nine operators interviewed did not know the correct pickup window."

Recommendation: "DART should re-train the operators so that they know and understand the pickup window."

Federal Transit Administration ADA Compliance Review of Delaware Transit Corporation, Dover, Delaware, *op. cit.*, pp. 72 and 74.

- 65 Multisystems, Inc., *Innovative Practices in Paratransit Services*, Easter Seals Project ACTION, April 2002, p. 10.

Also, this FTA ADA compliance review addressed the need to properly integrate advanced technologies to use them to their best advantage.

Finding: "While COTA has both mobile data computers and automatic vehicle location technology, neither is integrated with the Trapeze scheduling and dispatch system. As a consequence, dispatchers spend significant amounts of time manually transferring data from one system to the other. Additionally, they are prevented from utilizing the valuable 'dispatch' screen that is in Trapeze. This dispatch screen shows all upcoming trips for all runs and highlights any that are predicted to be late. This gives dispatchers the ability to focus primarily on runs and drivers that need assistance."

Recommendation: "COTA should consider reviewing existing use of MDC and AVL technology and consider actions that would allow this technology to be integrated with the Trapeze system. Utilizing these technologies would allow dispatchers to

spend more time monitoring and reassigning potentially late trips. COTA should also consider integrating the dispatch area phones to be part of the overall ACD system, including an option that riders can select to reach dispatch.”

Federal Transit Administration ADA Compliance Review of Central Ohio Transit Authority (COTA), Columbus, Ohio, *op. cit.*, p. 78.

- 66** This requirement is not in the DOT ADA regulation, but rather in what is called Part 27. Part 27 contains other transit agency obligations including the DOT regulation for Section 504 of the Rehabilitation Act of 1973, another disability rights law. Part 27, which is formally cited as 49 C.F.R. Part 27, is available at www.fta.dot.gov/civilrights/ada/civil_rights_3907.html. The reporting requirement is at 49 C.F.R. § 27.13(b), 49 C.F.R. Subpart C, §§ 27.121 – 27.129.