Sacramento Regional Transit District (SacRT)
Americans with Disabilities Act (ADA) Reasonable Modification Policy

A. Background of Reasonable Modification Regulations

On March 13, 2015, the Federal Department of Transportation issued a Final Rule modifying portions of 49 C.F.R Parts 27 and 37 to clarify that public transportation entities are required to make reasonable modifications/accommodations to their policies, practices, and procedures to ensure program accessibility.

B. Requirements

1. Federal funding recipients must ***make reasonable accommodations*** in policies, practices, or procedures when necessary to avoid discrimination based on disability unless recipients can demonstrate that making the accommodations would fundamentally alter the nature of the service, program, or activity or result in an undue financial and administrative burden. This requirement applies to fixed-route, light rail, and paratransit services.

2. When considering changes to facilities or transportation services, entities must consider the most integrated setting appropriate for individuals with disabilities.

    a. However, entities can refuse to provide service to an individual that engages in violent, seriously disruptive, or illegal conduct, or represents a direct threat to the health or safety of others.

b. Entities cannot refuse to provide service to an individual with disabilities solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of the entity or other people.

3. Transportation agencies must provide "Origin-to-destination service" for paratransit. *Origin-to-destination service* means providing service from a passenger's origin to the passenger's destination.

Under the definition adopted in 2015, ***a provider may provide ADA complementary paratransit in a curb-to-curb or door-to-door mode*;** however, for **curb-to-curb** service: a provider must provide assistance to those passengers who need assistance beyond the curb in order to use the service unless such assistance would result in a fundamental alteration of the service, or present a direct threat to the driver, other riders/individuals, or the paratransit vehicle. SacRT currently provides ADA paratransit service in a **door-to-door** mode.

C. Requests for Reasonable Modification and/or Accommodations

1. General

SacRT provides an accessible means by which individuals with disabilities can request reasonable modification and/or accommodation. Whenever feasible, requests for modifications shall be made in advance before the requested modification is expected to be provided in service. SacRT acknowledges that, due to the unpredictable nature of transportation, some requests for a reasonable modification may be made while in transit. As

such, Operations personnel will decide whether the modification should be provided at that time.

1. Information regarding requesting reasonable modifications is available on the SacRT website (www.sacrt.com).

2. Individuals requesting modifications will be asked to supply sufficient detail within the request so that SacRT staff may effectively evaluate the request. Individuals are not required to use the term “reasonable modification” when requesting modifications or accommodations.

3. SacRT has designated the ADA Compliance Officer as the employee responsible for ensuring compliance with this policy and for administering the prompt and equitable resolution of any related complaints. The ADA Compliance Officer will summarize the results of its decision and provide a response to the requestor within 5 business days of receipt of the complete Request. The response will include the original request, summary of relevant analysis, and SacRT’s final determination along with the right to appeal and process for doing so. SacRT’s final determination will be issued in an accessible form of communication and may include the issuance of a letter for the Requestor that can be displayed to mitigate confusion (e.g., to show to drivers, supervisors, transit police, etc.). If a Request is denied, in whole or in part, SacRT will recommend any pertinent alternative modifications to the Requestor.

4. Some requests for reasonable accommodations may be submitted during the paratransit eligibility process or through other customer service inquiries, and as such,

operating personnel are trained and are empowered to determine whether the request should be granted at the time of the request or whether the request needs to be escalated to operations/SacRT management before deciding to grant or deny the request.

2. Advance Requests

Reasonable modifications can be made for any passenger upon request through email, online, in writing or by phone. These are changes meant to make SacRT's fixed-route bus, light rail and/or ADA paratransit service policies and practices more accessible for those with disabilities.

Online: Passengers have the option to fill out the online request form or request a hardcopy, which includes alternate formats such as large print, braille, audio and electronic (Word or text file formats) and foreign languages).

By Email: A passenger may send a completed copy of the online request form or hard copy form to SacRT at accessible@sacrt.com along with any supplemental information required by this policy. Responses to requests submitted via email will be sent via email.

In Writing: A completed form (Word or Adobe) and all attachments can be mailed to: ADA Compliance Officer, Accessible Services Department, P. O. Box 2110, Sacramento, CA 95812-2110. Responses to requests submitted via US mail will be sent by letter.

By Phone: A passenger may request a reasonable modification by contacting the ADA Compliance Officer in

Accessible Services at 916-557-4685. Customers may also contact Customer Advocacy at 916-557-4545. Staff will complete the online form for the passenger by phone based on information provided by the passenger. Responses to phone requests will be sent by letter.

Response Time: Sacramento Regional Transit District will have 10 to 30 business days from receipt of the request to review and provide a final response to the passenger.

3. Same Day Requests

When a request for modification cannot practicably be made and determined in advance, a passenger may make a request on the same day, at the time of, or during service.

a. Requests must be made to the operator of the public transit vehicle, describing in detail the required accommodation and why it is necessary to use the service.
b. Operators may grant a request if it is reasonable and meets the requirements of SacRT's policy.
c. If an Operator is unsure if the request can be granted or declined, they are required to consult with Bus or Light Rail Operations, or SacRT GO to receive directions.
d. Operator's availability may be very limited when providing service. If the request would require extended consideration, SacRT may not be able to grant the request immediately, and the passenger may be encouraged to submit a written request for further consideration in future trips.

D. Denying Request for Modification

Requests for modification of SacRT's policies and practices may be denied only on one or more of the following grounds:

1. Granting the request would fundamentally alter the nature of SacRT's services, programs, or activities.

2. Granting the request would create a direct threat to the health or safety of others (including drivers and other passengers but not including the requesting party.

3. Without the requested modification, the individual with a disability can fully use SacRT's services, programs, or activities for their intended purpose; or

4. Granting the request would cause an undue financial and administrative burden.

SacRT's ability to grant the requested modifications may vary by route, day of travel, time of day, or other circumstances. For example, while a request may be able to be granted in one instance, that same request may be denied in another instance if granting the request would fundamentally alter the nature of the service or create a safety threat, or if the request is not a functional necessity.

If SacRT denies a request for a reasonable modification, SacRT shall take, to the maximum extent possible, any other actions (that would not result in a direct threat or fundamental alteration) to ensure that the individual with a disability receives the services or benefit provided by SacRT. Passengers may appeal the denial of the request by completing the Reasonable Modification Request Denial Appeal form.

Online: Passengers have the option to fill out the online reasonable modification request denial appeal form or request a hardcopy, which includes alternate formats such as large print, braille, audio and electronic (Word or text file formats) and foreign languages.

By Email: A passenger may send a completed reasonable modification request denial appeal form via email to SacRT at accessible@sacrt.com along with any supplemental information required by this policy. Responses to requests submitted via email will be sent via email.

In Writing: A completed reasonable modification request denial appeal form (Word or Adobe) and all attachments can be mailed to: ADA Compliance Officer, Accessible Services Department, P. O. Box 2110, Sacramento, CA 95812-2110. Responses to requests submitted via US mail will be sent by letter.

By Phone: A passenger may request a reasonable modification Request Denial Appeal form by contacting the ADA Compliance Officer in Accessible Services at 916-557-4685. Customers may also contact Customer Advocacy at 916-557-4545. Staff will complete the online form for the passenger by phone based on information provided by the passenger. Responses to phone requests will be sent by letter.