

**AMERICAN WITH DISABILITIES ACT  
(ADA)  
COMPLEMENTARY PARATRANSIT PLAN  
BALBOA PENINSULA TROLLEY**

**City of Newport Beach**



**DRAFT  
June 9, 2017**

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## SECTION 1. INTRODUCTION & BACKGROUND

The Americans with Disabilities Act (ADA) of 1990 requires that public entities that operate fixed-route transportation services also provide complementary paratransit services for individuals whose disabilities make them unable to use the fixed route. In addition, the regulations require that those public entities subject to the complementary paratransit requirements develop and administer a process for determining if individuals who request service meet the regulatory requirements for eligibility. Finally, those entities are required to prepare and adopt an ADA Complementary Paratransit Plan to document its compliance with these and other paratransit regulatory provisions.

This plan was prepared by the City of Newport Beach. Beginning June 2017, the City will provide a fixed route public transportation service on the Balboa Peninsula during the summer weekends through Labor Day weekend. The City expects to operate the service each summer thereafter, funding permitting. The City's fixed route service will be operated by a private contractor under contract with the City.

The requirements of the ADA state that paratransit service must be "comparable" to the fixed route service levels and hours of availability. As defined further in regulatory guidance issued by the Department of Transportation, six service criteria are used to evaluate paratransit service's compatibility to the fixed route. These criteria only represent the minimum service standards and therefore these thresholds can be exceeded if the local governing body chooses to do so. The criteria require that ADA paratransit service is comparable to fixed route services in terms of:

- **SERVICE AREA:** Paratransit must be available within the same area served by the fixed route, specifically; service shall be made available to all origins and destinations within  $\frac{3}{4}$  of a mile on each side of each fixed route. This includes an area within  $\frac{3}{4}$  mile radius at the end of each fixed route as well.
- **HOURS AND DAYS OF SERVICE:** ADA paratransit services must be available the same hours and days of service that fixed route is available.
- **RESPONSE TIME:** Trips must be made available to any ADA paratransit eligible person at any requested time of any particular day in response to a request for service made the previous day. The service operator may negotiate to provide the trip within an "hour window." Reservations must be taken during regular business hours the day before the trip is requested.
- **FARES:** The public transit may not establish paratransit fares that are more than twice the fare that would be charged to an individual paying full fare for a trip of similar length at a similar time of day on the fixed route system.
- **TRIP RESTRICTIONS:** The operator may not impose trip restrictions to prioritize trips based on trip purpose.
- **CAPACITY CONSTRAINTS:** The operator may not impose capacity constraints on the amount of service that is provided to any eligible person. Specifically, there can be no operating practice that significantly limits the availability of service to ADA paratransit eligible individuals.

This ADA paratransit service is to be provided to all individuals who, because of their disability, are unable to use the fixed-route system. The criteria used to determine eligibility is also regulated by the ADA, and the City is required to have a documented process in place to determine if an individual qualifies for service.

Any agency providing public fixed route service is required to submit a plan showing attainment of full compliance with the ADA no later than January 26, 1996. Since the City did not initiate fixed-route service until June 2017, no plan was submitted at that time. Nonetheless, a plan is still required to show compliance with ADA and outline all aspects of paratransit service to ensure full compliance with the regulations.

In an effort to ensure full compliance with the ADA requirements, the City entered into a contractual relationship with OCTA to provide complementary paratransit services in the City service territory on the City's behalf.

The following sections systematically review all of the City's service, in concert, with OCTA rules and guidelines, as they relate to the provision of and compliance with all parts of the ADA statutes. If service is determined to not comply with the regulations contained in the ADA, then proper procedures and compliance actions will be outlined with specific benchmarks for achievement.

- SECTION 1:** This section provides an introduction and background to the plan, and presents some demographic information of interest to the plan.
- SECTION 2:** This section outlines existing and proposed fixed route services.
- SECTION 3:** This section describes and evaluates the ADA paratransit service.
- SECTION 4:** This section outlines the existing paratransit eligibility determination process and appeals process.
- SECTION 5:** This section describes the current public participation process for input into senior and disabled transportation services.

## CITY DEMOGRAPHIC PROFILE

The purpose of this report is to document the City's compliance with Title VI ADA Complementary Paratransit Plan. To ensure full compliance with the provisions of the Complementary Paratransit Plan, the City contracts for the provision of ADA paratransit services with the OCTA. Through this cooperative agreement, the City is fully committed to the provision of transportation options for individuals who are unable to use the regular, fixed-route bus service due to functional limitations caused by a disability. Key demographic statistics of the City are shown in Table 1.

*Table 1 - City Service Area Demographic*

	City of Newport Beach	% of City Total	Orange County	% of County Total
<b>Total Population</b>	86,911	NA	3,116,069	NA
<b>Older Adults (&gt;65 yrs.)</b>	17,549	20.2%	397,657	12.8%
<b>Persons in Poverty (&lt;100% of Poverty Level)</b>	6,149	7.1%	396,646	12.8%
<b>Persons with Disabilities</b>	6,621	7.6%	258,350	8.3%
Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates				

## SECTION 2. DESCRIPTION OF EXISTING AND PROPOSES SERVICES

### FIXED ROUTE SERVICE

The OCTA currently operates six fixed-routes in the City. Service characteristics for all fixed routes serving the City are shown in Table 2. A map of the fixed route services is shown in Figure 1.

*Table 2 - Existing Fixed Route Service Operating Characteristics*

Route	Days / Hours of Service		Frequency of Service		
	Weekdays	Weekends	Peak	Midday	Weekends
1	5:30 a.m. – 10:45 p.m.	6:30 a.m. – 8:45 p.m.	30	30	60
47	3:45 a.m. – 11:30 p.m.	5 a.m. – 10:30 p.m.	15	20	30
55	4:15 a.m. – 11:45 p.m.	6 a.m. – 10 p.m.	15	30	30
57	4:15 a.m. – 1:30 a.m.	4 a.m. – 1:30 a.m.	20	24	30
71	5 a.m. – 11:15 p.m.	5:45 a.m. – 10:15 p.m.	30	30	45
79	6:00 a.m. – 11:15 p.m.	5:45 a.m. – 9:00 p.m.	30	30	60

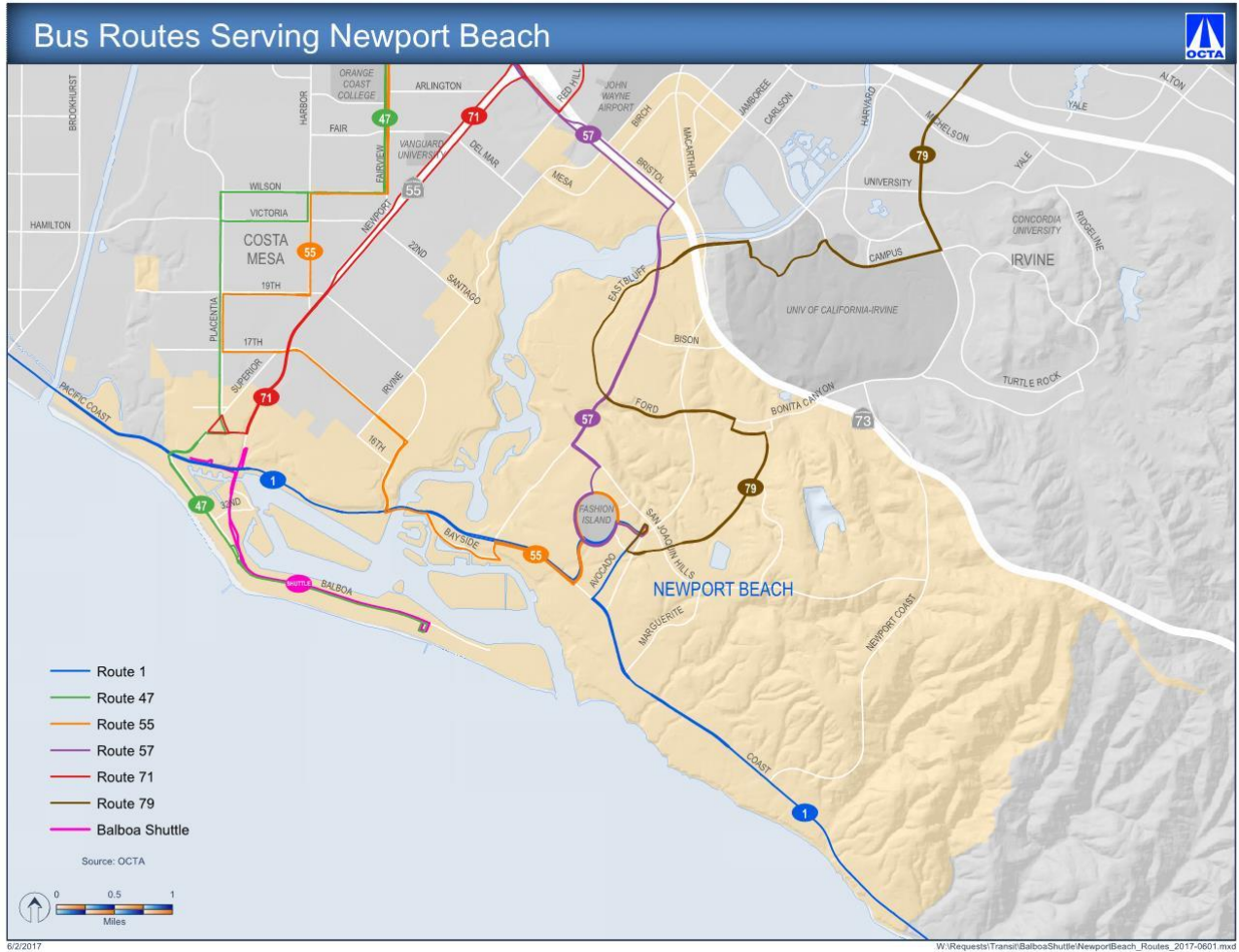
*Notes:*

*Hours of service shown are within City boundary.*

*Hours of Service rounded to nearest quarter hour; Frequency listed in minutes*

*N/A = no service available;*





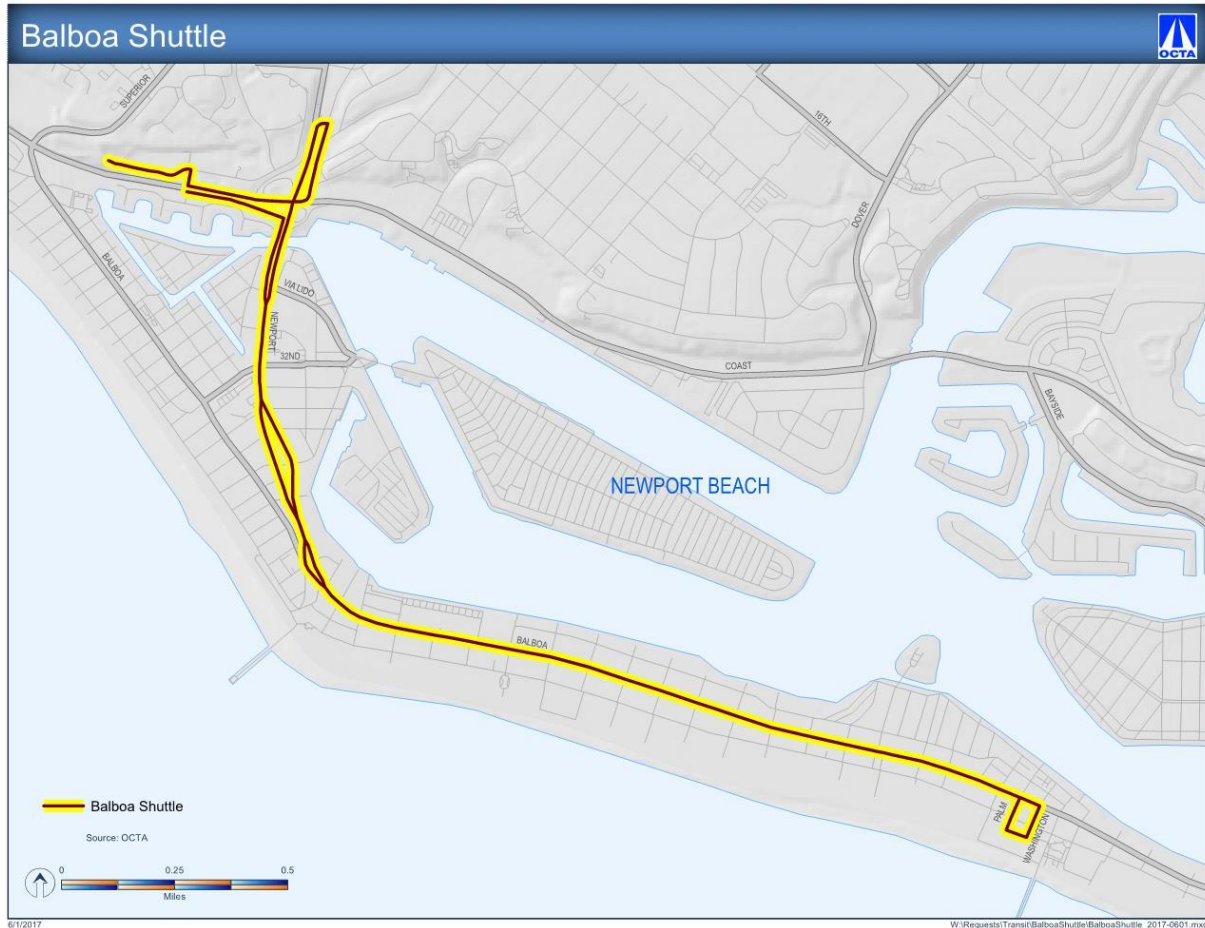
*Figure 1 - Existing Fixed Route Service*

## PROPOSED CITY FIXED ROUTE SERVICE

The City's proposed fixed route service, the Balboa Peninsula Trolley, consists of shuttle service to the Balboa Peninsula. This area is a popular destination for summertime visitors and residents. Heavy traffic congestion is typically experienced by local residents and motorists visiting the area.

The shuttles will operate 7:30 a.m. to 9:30 p.m., Saturdays and Sundays as well as Fourth of July, from June 17, 2017 until September 3, 2017. Future years the schedule will generally focus on summer weekends, but may expand based on demand and funding. The starting point will be the lower Hoag Hospital parking lot nearest the cogeneration facility, which is accessed from West Coast Highway and Hoag Drive. Parking at this location is limited and will be on a first-come-first-serve basis. Riders will be able to board or exit at any of the 19 designated stops along the route. The service will generally operate in a circular fashion from the lower Hoag Hospital parking lot to the Balboa Pier and back. Where possible, the service will use existing OCTA bus stops. Figure 2 depicts the route.

The service is anticipated to run at 15-minute intervals, using four trolleys in regular rotation with a fifth trolley for backup.



## FARE STRUCTURE

Figure 2 - Proposed Shuttle Service

Table 3 shows the OCTA and the City's fare structure. The City's service is free.

Table 3 - Fare Structure

Fare Type	Existing OCTA Fare	Balboa Peninsula Trolley
Regular Base Fare	\$2.00	Free
Senior/Disable Base Fare	\$0.75	Free
Children Under 6 yrs.	Free	Free

## THE CITY SHUTTLE FLEET

The fleet utilized for the City's shuttle service includes four shuttle-type vehicles owned and operated by an outside contractor. Initial services operated by a third party service provider under contract. During the summer weekends, the vehicles are stored at the off-site parking facility located at the lower parking lot of Hoag Hospital. During the week, the vehicles will be stored at the City's municipal lot located on 15<sup>th</sup> Street.

## SECTION 3. ADA PARATRANSIT SERVICE DESCRIPTION

The OCTA holds statutory responsibility for the planning, management, administration and operation of public transit services throughout Orange County. In addition to the operation of fixed route bus services, OCTA provides “complementary paratransit” service, which is curb-to-curb, accessible demand-responsive transportation pursuant to the requirements of the ADA. In Orange County, this complementary paratransit service is known as ACCESS.

The ADA guarantees equal opportunity for individuals with disabilities in employment, public accommodations, transportation, state and local government services and telecommunications. The transportation provisions of the ADA focus on acquisition of accessible vehicles by public and private entities, requirements for complementary paratransit service by public entities operating a fixed route system, and provision of nondiscriminatory accessible transportation service.

The ADA specifically mandates that each public entity operating a fixed route transit system provides complementary paratransit service to individuals whose functional disabilities prevent use of accessible fixed route bus and rail systems. The level of service for these individuals is to be comparable to the level of service provided to individuals without disabilities. The paratransit service is intended to be comparable to the fixed route system in specific listed criteria such as days and hours of service, fares, service area, response time, etc. It is to serve strictly defined categories of individuals with functional disabilities as described in this document, which reflect the ADA requirements. A summary of federal guidelines for eligibility is included in Appendix B.

The ADA requires that each public entity establish a certification process for determining ADA paratransit eligibility for complementary paratransit service. The eligibility criteria are designed to limit ADA Paratransit eligibility to only those individuals whose disabilities prevent them from using accessible fixed route bus or rail services. Additionally, the ADA regulations specify that recertification may be required at reasonable intervals.

A person is eligible for ADA service if they are unable to board or exit a fixed-route bus, get to or from a bus stop due to physical and/or environmental barriers, or does not understand how to ride the bus. Eligibility is based on a person’s functional abilities and limitations due to a disability, not a specific diagnosis or disability. The City, through OCTA, has a formal certification process that follows ADA guidelines. To request an application, individuals should contact the OCTA ACCESS Eligibility Office at 714- 560-5956 or download the application from the OCTA website.

The City contracts with OCTA, a regional transit services provider, for ACCESS services. ACCESS is OCTA’s shared-ride service for individuals who are unable to use the regular, fixed-route bus service because of functional limitations caused by a disability. These passengers must be certified by OCTA, on behalf of the City, to use the ACCESS system by meeting the ADA eligibility criteria.

OCTA’s ACCESS service offered within the City is well utilized. In Fiscal Year 2015-16, about 34,000 eligible trips were accomplished within the City, which equates to about 2,800 monthly trips and 93 daily trips, as shown in Appendix C.

Figure 3 below illustrates the ADA service corridors within the context of the proposed fixed route services. According to OCTA’s database of ADA customers, below are trip characteristics of ADA clients who accomplished at least one ACCESS trip and whose origin and destination was within the ¼ mile zone of the proposed City shuttle:

- There are 229 unique customers within ¾ mile of the proposed shuttle.
- It is estimated that over a period of one year, in Fiscal Year 2015-16, 32 of the 229 customers accomplished at least one ACCESS trip within the ¾ mile zone.
- There were five clients who took more than 10 trips in Fiscal Year 2015-16.
- There were three clients considered “active customers” who averaged four or more trips per month.



*Figure 3 - City's Access Service Area for Proposed Shuttles*

This section describes service characteristics of the City's complementary ADA paratransit system, and compares them to the federal requirements. Through the City's contract with OCTA for ACCESS services, the City subscribes to OCTA's eligibility standards, thus, allowing all individuals using transit services in Orange County, to move freely among services and only go through the certification and eligibility determination process once. These passengers must be certified by OCTA, on behalf of the City, to use the ACCESS system by meeting the ADA eligibility criteria.

## SERVICE AREA

OCTA's ACCESS service is fully compliant with the ADA regulations and provides excellent service to ADA-eligible customers. ADA service is offered as a complementary service to the fixed route service, offering service that matches the hours of operation of the fixed route service.



## **SERVICE HOURS**

ADA service is available to match existing hours of fixed route service, in compliance with ADA regulations. These hours will be comparable to those that will be provided on the proposed City fixed route service, from 7:30 a.m. to 9:30 p.m.

## **POLICIES AND FARES**

A personal care attendant may accompany the paratransit rider at no cost. A Personal Care Attendant (PCA) is an individual who travels with an ADA eligible rider to provide assistance. This may either be an employee of the eligible rider, a relative, a friend, or a care provider. ADA regulations specify that paratransit service must be provided to PCAs at no cost when traveling with an eligible rider. One companion is permitted to accompany any ACCESS eligible rider in addition to a PCA. Children under the age of 6 years who are ADA eligible must be accompanied by a responsible adult. That adult will be considered a PCA and will be allowed to ride at no charge. Trips may be taken on ACCESS for any trip purpose.

The base fare for ACCESS service is \$3.60 per passenger for each one-way trip within Orange County.

In addition, same-day taxi service is available for customers with current ACCESS eligibility. These trips are scheduled the same day a customer wishes to travel at the time they wish to travel. More information on this service can be found on the OCTA website at [www.octa.net](http://www.octa.net).

## **CAPACITY CONSTRAINTS**

For ADA eligible persons, there are no City constraints, meaning there is no limitation on the number of trips per day or trips per person that can be made on ACCESS. ACCESS on-time performance is very good, and travel times are comparable to fixed route trips. For ADA eligible persons, there are no trip denials, turndowns, or waiting lists. All trip requests are provided as agreed upon during the reservation process.

## **RESPONSE TIME**

Currently, service policies allow trip requests to be made the day before the service is needed by contacting OCTA between the times of 7 a.m. and 5 p.m., Monday through Friday, and 8 a.m. to 5 p.m. on Saturdays, Sundays and Holidays. Trips may be requested up to three days in advance.

ACCESS service is provided within a ¾ mile of, and during similar hours as, OCTA's regular fixed route service. ACCESS scheduling guidelines include scheduling trips within 60 minutes of the requested time, picking up customers within a quoted 30-minute pick-up window.

## **TRAVEL TIME**

OCTA's ACCESS service is comparable to the level of service and ride time provided on OCTA's fixed route as required by the Department of Transportation's (DOT) Rules and Regulations, 37.121. When planning a trip, individuals should be aware that the ride will be shared with other ACCESS customers, and travel time is dependent on the number and time passengers are picked up or dropped off.

## SECTION 4. ADA ELIGIBILITY DETERMINATION AND APPEALS PROCESS

Eligibility is determined by three factors:

- Individual's ability to get to/from the bus stop
- Individual's ability to board/exit the bus
- Individual's cognitive ability to navigate the regular bus system.

Operational issues not used to determine eligibility, include:

- Age
- Distance
- Overcrowded buses
- Weather conditions
- Lack of bus service to an area

Operational issues are not considered in the eligibility process. These are issues that affect any individual, whether they suffer from a disability or not. The individual's disability (is) and how it affects their functional ability to use regular bus service is the only criterion used in determining eligibility.

ACCESS eligibility may be granted for up to five years. Customers wishing to continue ACCESS service must reapply and complete the eligibility process prior to their eligibility expiration date in order to prevent a lapse in ACCESS service.

### CERTIFICATION PROCESS

The certification process consists of a completed application and a one hour in-person functional assessment. If using a mobility device, it is recommended that the individual bring the device to the interview. ACCESS service may be made available to and from the in-person functional assessment upon request. Including travel, the entire assessment process may take from 4 to 5 hours. Photo ID is needed to verify individuals for the in-person assessment.

Individuals are notified by mail regarding their eligibility determination within 21 calendar days after the functional assessment is conducted. If found to be eligible for ACCESS service, individuals will receive an ACCESS identification number and a Rider's Guide describing the ACCESS service and booking process in more detail.

**To apply for OCTA Paratransit Service, call the OCTA ACCESS Eligibility Contractor to schedule your in-person assessment at 714-560-5956 ext. 2, TDD 714-560-5474 or review the OCTA website at [www.octa.net](http://www.octa.net).**

A copy of the application for ACCESS service is included as Appendix D.

## OCTA CATEGORIES OF ELIGIBILITY

There are many reasons why an individual may or may not be able to use accessible fixed route bus or rail services. In addition, there may be times when an individual may be able to use accessible fixed route bus or rail services, and other times when they cannot. Recognizing this, OCTA has four categories of ADA paratransit eligibility: Unrestricted, Trip-by-Trip, Conditional and Temporary. In addition, applicants may be Denied eligibility or determined to be Ineligible. These categories are described below:

- a. Unrestricted. Individuals, who are physically or cognitively unable to ever independently board, ride or disembark from the public bus or rail service. An example would be an individual who uses a wheelchair who is unable to maneuver their wheelchair by themselves.
- b. Trip-by-Trip. An individual may utilize ACCESS service for those trips in which their disability, due to physical or environmental barriers, prevents them from getting to or from the bus or rail stop or loading location or from boarding or disembarking from the fixed route bus or rail service. An example is an individual who uses a wheelchair and the sidewalks that he/she needs to use to get to/from the bus stops for a specific trip do not have curb cuts, thus preventing him/her from using the fixed route bus for this trip.
- c. Conditional. Individuals may use ACCESS service for those trips when the episodic nature of their disability prevents them from making the trip on the public fixed route bus or rail. An example would be an individual with a disability which allows them to function well at times and less well at other times – night blindness, extreme sensitivity to cold or heat, and kidney dialysis are examples of conditions which could result in Conditional eligibility. During those days when the individual is not able to function well, he/she would be unable to use the fixed route bus and, therefore, would be eligible to use ACCESS.
- d. Temporary. ADA eligibility may be granted to individuals whose condition or functional limitations are expected to improve to the point that they would be able to utilize accessible fixed route services for all their trips as well as to individuals whose disability condition may be permanent but whose travel abilities may change with training or therapy. In these cases, the individual will be given temporary eligibility. Examples might be an individual with a medical condition or injury from which they are expected to fully recover or a person with a visual impairment who is attending mobility/orientation training which may train them sufficiently to use the fixed route bus services. Granting temporary eligibility does not necessarily mean that the recipient will eventually be denied, but that a more accurate eligibility determination can be made once training/ therapy is completed.
- e. Denied. Individuals whose disability and/or functional abilities do not prevent them from using the accessible fixed route bus services will be denied ADA paratransit eligibility.
- f. Incomplete. An individual may be deemed to be ineligible to use ADA paratransit services if they do not meet the Authority's minimum age or if their application is withdrawn for failure to complete the necessary information and/or certification process.

Children who are five years of age or younger and, with the assistance of an adult, are able to board, ride and disembark from an accessible fixed route bus will be denied ADA paratransit eligibility. Because the Authority's child protection policy requires children under the age of six to be accompanied by an adult on the fixed route bus, eligibility for children of that age is based on their ability to travel with the assistance of an adult.

## ELIGIBILITY APPEALS PROCESS

### **Purpose**

The purpose of this policy is to comply with the ADA Certification Eligibility Appeals Board process and applies to the paratransit service operated by the Orange County Transportation Authority (OCTA). The ADA requires that an eligibility appeals process be established by each operator of complementary paratransit service. The eligibility appeals process is intended to provide an applicant who disagrees with the initial eligibility determination the opportunity to have the determination reviewed by official(s) other than the person who originally determined his/her eligibility.

### **Requesting an Eligibility Appeal**

An applicant wishing to appeal his/her initial eligibility determination must submit a written letter of appeal within 60 days of receiving the first eligibility notification letter.

All eligibility notification letters include a Request for Appeal form to be returned with the applicant's appeal letter, with the exception of applicants receiving unrestricted eligibility. The appeal form will ask if communication is required in an alternative format (Spanish, Braille or DVD audio). Visually impaired applicants receive a telephone call in addition to written notification.

If the eligibility appeal request is received by the Authority after the 60-day appeal period has elapsed, the eligibility determination will remain in place. Applicants will be notified by certified mail if the appeal request is received after the 60-day appeal period. Visually impaired applicants will receive a telephone call in addition to written notification.

### **Notification of Appeal Hearing**

Upon receiving an appeal request within the required 60 days, OCTA will notify the applicant in writing of the next two scheduled appeals board dates. Visually impaired applicants will receive a phone call in addition to written notification. The letter will ask if any reasonable accommodations are needed for the appeal hearing. The applicant may choose one of the two dates for his/her hearing.

The applicant will be informed of the date, time and location of the appeals board hearing and have the opportunity to come before the appeals board personally to present written and oral information. All relevant OCTA records will be made available to the applicant and the appeals board. The applicant may bring a representative, such as someone from an advocacy organization, an attorney, etc., to speak on his/her behalf if desired. Appeals shall follow ADA paratransit eligibility procedures and classification guidelines. All determinations by an Appeals Specialists shall be consistent with these guidelines.

### **Appeals Board Hearing**

The appeals board will convene as scheduled with all pertinent parties present and the appeal hearing will be conducted using the following guidelines:

- Introduction of all persons present
- Explanation of the appeals policy
- Brief overview of the criteria
- Summary of initial eligibility determination
- Opportunity for the applicant and/or his/her representative to provide additional information or dispute the initial finding



- Opportunity for the appeals board members to ask questions
- Restatement of the appeal policy to provide the applicant with a clear understanding of what will happen following the hearing

After the appeal hearing has been conducted, the appeals board will review all information and make a final determination. The majority decision may reaffirm, change or overturn the initial eligibility determination. The decision by the appeals board shall be made within 30 days from the appeal hearing. If the final determination is not made within the 30-day period following the appeal hearing, presumptive eligibility is granted to the individual and will continue until a final determination is made and the applicant is notified

#### **Notification of Appeals Board Determination**

The applicant shall be notified of the appeal decision by certified mail. Visually impaired applicants will receive a telephone call in addition to written notification. The letter will include specific reasons for the decision by the appeals board. The decision of the appeals board will be final. OCTA staff encourages anyone whose functional capabilities change to reapply for eligibility and/or inform OCTA of any changes in his/her condition.

#### **Appeals Board**

The appeal will be heard by an objective three-board consisting of the following members:

1. OCTA's manager of operations or his/her designee.
2. Two members from OCTA's Special Needs in Transit Committee, including the committee chairman or his/her committee designee.

A glossary of terms is included in Appendix E.

## SECTION 5. PUBLIC PARTICIPATION PROCESS

ADA requirements specify this plan should be developed in consultation with members of the disability community. In Orange County, there is a high representation from the disabled community including individuals and agencies in the local area that provide services for the disabled. As a result, thirty days prior to adoption of the Plan, a public notice stating the availability of the City's Proposed Paratransit Plan was published in the local newspaper and the Plan was made available on the City's website.

### COMPLAINT RESOLUTION AND CUSTOMER SERVICE PROCEDURES

It is the policy of the City to employ its best efforts to ensure that all programs, service, activities and benefits are implemented without discrimination. However, in those cases where a complaint must be filed due to service provision issues or any other customer service matter, the City follows complaint investigation and format procedures which are in keeping with Title VI requirements.

ADA customers may submit comments and complainants to either OCTA or the City. Contact information is shown below:

OCTA's Customer Relations Department: 714-636-7433  
Newport Beach City Clerk's Office: 949-644-3005

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## **APPENDICES**

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**Proposed City Shuttle Schedule and Stops**

As described in Section 2, the City intends to operate the shuttle on weekends during the summer. The service will run every 15 minutes. Below is a list of designated shuttle stops.

- Lower Hoag Lot – *Start*
- Newport Boulevard and Short Street
- Newport Boulevard and 29<sup>th</sup> Street
- Balboa Boulevard and 20<sup>th</sup> Street (Southbound)
- Marina Park
- Balboa Boulevard and 14<sup>th</sup> Street
- Balboa Boulevard and 11<sup>th</sup> Street
- Balboa Boulevard and 8<sup>th</sup> Street
- Balboa Boulevard and Island Avenue
- Balboa Boulevard and Adams Street (Eastbound)
- Balboa Pier – *Turnaround*
- Balboa Boulevard and Adams Street (Westbound)
- Balboa Library
- Balboa Boulevard and 8<sup>th</sup> Street
- Balboa Boulevard and 12<sup>th</sup> Street
- Marina Park (Westbound)
- Balboa Boulevard and 20<sup>th</sup> Street (Northbound)
- Newport Boulevard and 28<sup>th</sup> Street
- Newport Boulevard and Finley Avenue – *Return to Hoag*

## **APPENDIX B**

### **SUMMARY OF FEDERAL ADA REGULATIONS**

#### **Subpart F Paratransit as A Complement to Fixed Route Services**

##### **Paratransit Eligibility – Standards**

- (e) The following individuals are ADA paratransit eligible:
  - (1) Any individual with a disability who is unable, as the result of a physical or mental impairment (including a vision impairment), and without the assistance of another individual (except the operator of a wheelchair lift or other boarding assistance device), to board, ride, or disembark from any vehicle on the system which is readily accessible to and usable by individuals with disabilities.
  - (2) Any individual with a disability who needs the assistance of a wheelchair lift or other boarding assistance device and is able, with such assistance, to aboard, ride and disembark from any vehicle which is readily accessible to and usable by individuals with disabilities if the individual wants to travel on a route on the system at a time, or within a reasonable period of such time, when such a vehicle is not being used to provide designated public transportation on the route.
    - (i) An individual is eligible under this paragraph with respect to travel on an otherwise accessible route on which the boarding or disembarking location which the individual would use is one at which boarding or disembarking from the vehicle is precluded as provided in 37.167(g) of this Part.
    - (ii) An individual using a common wheelchair is eligible under this paragraph if the individual's wheelchair cannot be accommodated on an existing vehicle (e.g., because the vehicle's lift does not meet the standards of Part 38 of this title), even if that vehicle is accessible to other individuals with disabilities and their mobility wheelchairs.
    - (iii) With respect to rail systems, an individual is eligible under this paragraph if the individual could use an accessible rail system, but
      - (A) there is not yet an accessible car per train on the system, or
      - (B) key stations have not yet been made accessible.
  - (3) Any individual with a disability who has a specific impairment-related condition which prevents such individual from traveling a boarding location or from a disembarking location on such system.
    - (i) Only specific impairment-related condition, which prevents the individual from traveling to a boarding location or from a disembarking location is a basis for eligibility under this paragraph. A condition which makes traveling to boarding location or from a

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**OC ACCESS ADA Trips for the City of Newport Beach from July 2015 through June 2016**

ADA Trips	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total	Mon. Avg.	Daily Avg.
<b>Primary Provider</b>															
Pick-Up	830	764	1,016	989	821	684	532	863	893	979	912	842	10,125	844	33
Drop-Off	761	829	1,007	963	782	659	581	776	847	895	878	767	9,745	812	32
Both	93	114	118	156	106	69	52	92	90	85	92	89	1,156	96	4
Total	1,684	1,707	2,141	2,108	1,709	1,412	1,165	1,731	1,830	1,959	1,882	1,698	21,026	1,752	68
<b>Supplemental Provider</b>															
Pick-Up	372	421	569	615	514	390	363	505	569	585	592	455	5,950	496	16
Drop-Off	433	418	610	685	532	419	341	570	612	699	635	550	6,504	542	18
Both	29	30	56	68	51	40	36	42	50	42	46	24	514	43	1
Total	834	869	1,235	1,368	1,097	849	740	1,117	1,231	1,326	1,273	1,029	12,968	1,081	36
<b>Total OC ACCESS</b>															
Pick-Up	1,202	1,185	1,585	1,604	1,335	1,074	895	1,368	1,462	1,564	1,504	1,297	16,075	1,340	44
Drop-Off	1,194	1,247	1,617	1,648	1,314	1,078	922	1,346	1,459	1,594	1,513	1,317	16,249	1,354	45
Both	122	144	174	224	157	109	88	134	140	127	138	113	1,670	139	5
Total	2,518	2,576	3,376	3,476	2,806	2,261	1,905	2,848	3,061	3,285	3,155	2,727	33,994	2,833	93



## OCTA ADA PARATRANSIT APPLICATION

APPENDIX D

### DO NOT MAIL

Please complete the application and call (714) 560-5956 ext 2  
to schedule your in-person assessment. TDD (714) 560-5474

Notification of Eligibility within 21 calendar days of in-person assessment

### 1. PERSONAL INFORMATION – please print clearly

Last Name: \_\_\_\_\_ First: \_\_\_\_\_ Middle Initial: \_\_\_\_\_

☐ Female ☐ Male

Date of Birth --

\*Social Security  (Last 4 digits only)

\*The Federal Act of 1974 requires that disclosure of your social security number is voluntary. If given, it will be used for identification purposes only.

#### Home Address

Street \_\_\_\_\_ Apt # \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Day Phone (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Evening Phone(\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

TDD ☐ Yes ☐ No

#### Mailing Address (If different from above)

Street \_\_\_\_\_ Apt # \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

#### Emergency Contact

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Day Phone (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Evening Phone(\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Do you require information in an alternate format? ☐ Yes ☐ No

If yes, please indicate: ☐ Braille ☐ Large Print ☐ Other \_\_\_\_\_

Your primary language: ☐ English ☐ Spanish ☐ Other \_\_\_\_\_

### 2. MOBILITY INFORMATION – please print clearly

What is your disability? \_\_\_\_\_

Which of the following mobility aids or equipment do you use?

☐ Power wheelchair

☐ Manual wheelchair

☐ Scooter

☐ Crutches

☐ Cane

☐ Walker

☐ Oxygen Tank

☐ Service Animal

☐ Other \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

**You must bring a valid photo identification and this completed ADA Paratransit Service application to your In-Person assessment appointment**



**GLOSSARY OF TERMS**

As used throughout the Scope of Work, Figures, and Attachments, the following terms shall have the meanings set forth below:

**Accessible** – A general term that has come to mean “usable by a person with a disability.” Can refer to equipment (a passenger lift), a service (calling out bus stops), or communication formats (TDD phones).

**ADA ACCESS Service** – ACCESS service is the OCTA's complementary paratransit service element which began operating in October 1993. ACCESS is a curb-to-curb, fully-accessible service for travel in Orange County for persons who have been certified as eligible.

**ADA Paratransit** – Curb-to-curb public transportation service available to individuals whose disabilities prevent the use of fixed route transit services.

**Americans with Disabilities Act of 1990 (ADA)** – Federal civil rights legislation which mandates accessibility for people with disabilities. Included is a requirement that all public transit agencies operating fixed route bus service provide complementary paratransit service to persons functionally unable to use accessible fixed route systems.

**Applicants** – Persons who are applying for certification to use ADA paratransit service.

**OCTA** – OCTA shall signify the Orange County Transportation OCTA (Authority).

**Certification** – Term that generally refers to the award of eligibility status to an applicant who has applied to use ADA paratransit service.

**Determination** – Evaluation of how an applicant's disability affects his/her use of public transportation and resulting in a classification of the applicant into an ADA eligibility category.

**Eligibility Category** – As defined by OCTA, four categories which describe the situations under which an individual is determined eligible and may ride ADA paratransit services. As a result of the certification process, applicants may also be Denied or Ineligible. [See Attachment No. 2]

**Federal Transit Administration (FTA)** – A branch of the U.S. Department of Transportation (USDOT) established to improve transportation throughout the nation. The FTA provides funding and assistance to regional transportation agencies, among various other programs.

**Functional Eligibility** – Determination of ADA paratransit eligibility based upon the passenger's physical and/or cognitive ability to use accessible fixed route services.

**Holidays** – The official OCTA holidays are: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day. In addition, the OCTA may direct a reduced level of services on unofficial holidays and during holiday periods.

**Presumptive Eligibility** – Unrestricted eligibility to use ADA paratransit services pending completion of an applicant's certification. See “21-Day Rule.”

**Service Contractor** – The OCTA's vendor for management and operation of ADA ACCESS services.

**21-Day Rule** – ADA Regulations require that if, by a date 21 days following the submission of a complete application, the entity has not made a determination of eligibility, the applicant shall be treated as eligible and provided paratransit service until and unless the entity denies the application. [49 CFR 37 Section 37.125(c)]