

RESOLUTION NO. 1980-320

A RESOLUTION REAFFIRMING THE POLICY
OF THE GREATER CLEVELAND REGIONAL
TRANSIT AUTHORITY RELATIVE TO THE
SECTION 504 REGULATIONS AND AUTHORIZ-
ING THE SUBMISSION OF AN APPLICATION
FOR A RAIL WAIVER

WHEREAS, the Board of Trustees of the Greater Cleveland Regional Transit Authority has since its inception supported a policy of providing improved mobility for the elderly and handicapped through the operation of advanced reservation, door-to-door, lift equipped bus services (Community Responsive Transit and Extra Lift) rather than equipping its fixed-route buses and rail transit cars-facilities with wheelchair lifts and/or elevators; and

WHEREAS, the provisions of accessible fixed-route public transportation in other urban areas have not generated the ridership nor proven as cost-effective as have the Authority's Community Responsive Transit and Extra Lift services; and

WHEREAS, through Resolution No. 1979-188 and Resolution No. 1980-191, the Authority's Board of Trustees has shown its grave concern over the federal regulations of the U. S. Department of Transportation, issued to implement Section 504 of the Rehabilitation Act of 1973, by authorizing the Authority's participation in a lawsuit challenging these regulations and in applying for an exemption from the regulations; and

WHEREAS, the Board wishes to reaffirm its policy in this regard; and

WHEREAS, relief from certain portions of these regulations may be available upon application to the Secretary of Transportation.

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County:

Section 1. That it is the policy of the Board of Trustees to comply with the rules and regulations of those federal and state governmental units that provide RTA's funding support for operations and capital improvements. However, the Board wishes to clearly state that as a body, it takes exception to those rules and regulations promulgated by the U. S. Department of Transportation implementing Section 504 of the Rehabilitation Act of 1973 for the following reasons:

- A. RTA's operating experience with Community Responsive Transit and Extra Lift has demonstrated that these service concepts are the most cost-effective approaches for meeting the mobility needs of the elderly and handicapped in the Greater Cleveland area; and
- B. The Section 504 rules and regulations will not succeed in assuring the elderly and handicapped a higher level of public mass transportation mobility.

Section 2. That the General Manager and General Counsel be and they are hereby authorized and directed to execute any and all necessary documents for the submission of a waiver application for the Authority's rail systems pursuant to 49 C.F.R. Section 27.99.

Section 3. That this Resolution take effect immediately upon its adoption by the Board of Trustees.

Adopted: September 16, 1980

Attest: William C. Lehman
Secretary-Treasurer

Harry A. Oberlander
President