

RESOLUTION NO. 2020-89

REPEALING CHAPTERS 1084, 1085 AND 1086 AND ENACTING A NEW CHAPTER 1086 OF THE CODIFIED RULES AND REGULATIONS OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY

WHEREAS, pursuant to Resolution No. 1989-176, the Board of Trustees of the Authority codified the resolutions establishing its policies and procedures; and

WHEREAS, portions of the Paratransit policy were last updated in 1984, 1991 and 1995; and

WHEREAS, the Authority has determined that, although the Authority's operations have evolved over time, Chapters 1084, 1085 and 1086 need to be updated to remain consistent with current operations.

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

Section 1. That Chapters 1084, 1085 and 1086 are hereby repealed.


Section 2. That new chapter 1086 is hereby enacted to read as specified in Attachment A hereto.

Section 2. That the Board of Trustees hereby waives the fourteen-day period provided for in Article XI, Section 2 of the Bylaws.

Section 3. That this resolution shall become effective immediately upon its adoption.

Attachment: A. Chapter 1086

Adopted: November 17, 2020

  
\_\_\_\_\_  
President

Attest:   
\_\_\_\_\_  
Interim Secretary/Treasurer

# ATTACHMENT A TO RESOLUTION

## Chapter 1086 Paratransit and Accessible Service Policy

### CROSS REFERENCES

Americans With Disabilities Act – see 42 U.S.C.A. 12101 et seq.

Americans with Disabilities Act Accessibility Specifications for Transportation Vehicles – see 49 C.F.R. Part 38

Transportation for elderly and handicapped persons - see 49 C.F.R. Part 609

Americans With Disabilities Act Guidance – see FTA Circular 4710.1

Topic Guides on ADA Transportation – see <https://dredf.org/ADAtg/index.shtml>

Fares for senior citizens and individuals with disabilities - see VE.H. & OP. 840.03

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#### 1086.01 PURPOSE; SCOPE

- (a) This policy is to guide Authority activities relative to its various service modes so as to culminate in full system accessibility for individuals with disabilities.
- (b) The Authority's Paratransit service is a "shared ride", origin-to-destination service available for those who, due to a functional disability or condition, are unable to use the fixed-route system. Eligibility may be unconditional, temporary, or under certain conditions. Federal regulations define the ADA paratransit service area as being within  $\frac{3}{4}$  mile of a local fixed route when that route is in operation. (Res. 1991-23. Passed 1-22-91.)
- (c) The Authority will provide a "shared ride" service for grandfathered Community Responsive Transit riders who were born on or before December 31, 1931.
- (d) The Authority will provide a "shared ride" service for trips that are five (5) miles or less in length for individuals who, due to a functional disability or condition, are unable to use the fixed-route system and live beyond the  $\frac{3}{4}$  mile radius.

#### 1086.02 GENERAL POLICIES

- (a) Integrated Accessible Transit Network. The continuing development of the Authority's accessible transit system should be guided by the same principles of distribution as apply to general public services. Fixed rail and bus services should be the primary service modes available to all disabled persons who are functionally capable of using these modes. Paratransit service should supplement the fixed route network and its capacity dedicated to those persons who are unable to use the fixed route network due to their ADA recognized disability.
- (b) Community Participation. The Authority's efforts to implement full accessibility should consider the interests and needs of the community through activities such as public meetings and advisory committees.

# ATTACHMENT A TO RESOLUTION

## 1086.03 IMPLEMENTATION

- (a) Eligibility for Paratransit service will be determined in accordance with the Americans with Disabilities Act and other applicable laws.
- (b) Staff will work under administrative procedures and in compliance with current applicable laws.

## 1086.04 ADMINISTRATIVE PROCEDURES

- (a) The General Manager, CEO is authorized to adopt procedures to implement this policy and shall ensure that a Paratransit Customer Handbook is maintained. The Paratransit Customer Handbook shall reflect the most up-to-date administrative laws, industry best practices, FTA guidance, and Department of Justice guidance.
- (b) The Paratransit Customer Handbook shall replace the ADA Complementary Paratransit Plan enacted in Resolution No. 1992-045, and subsequently revised in Resolution Nos. 1995-009, 1997-033 and 2003-140.


(Res. 2020-XX. Passed XX-XX-20.)



<b>TITLE/DESCRIPTION:</b>  REPEALING CHAPTERS 1084, 1085 AND 1086 AND ENACTING A NEW CHAPTER 1086 OF THE CODIFIED RULES AND REGULATIONS OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY	<b>Resolution No.:</b> 2020- 89
	<b>Date:</b> November 12, 2020
	<b>Initiator:</b> Operations
<b>ACTION REQUEST:</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 **PURPOSE/SCOPE:** This resolution will repeal Chapters 1084 "Service to Elderly and Handicapped," 1085 "ADA Complementary Paratransit Plan" and 1086 "Accessible Transit Services Policy" and enact a new Chapter 1086 "Paratransit and Accessible Service Policy" of the Codified Rules and Regulations ("Code") of the Greater Cleveland Regional Transit Authority.
- 2.0 **DESCRIPTION/JUSTIFICATION:** Chapter 1084 was enacted in 1984. Chapter 1085 was enacted in 1995. Chapter 1086 was enacted in 1991. Although the Authority's operations have evolved over time, these provisions have not been amended or updated since they were enacted. Earlier this year, the Board of Trustees enacted a Bylaws provision establishing a three year cycle for reviewing and updated the provision of the Code Book.
- 3.0 **PROCUREMENT BACKGROUND:** Does not apply.
- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** Does not apply.
- 5.0 **POLICY IMPACT:** Adoption of the resolution will bring the Authority's Paratransit policy up to date to be consistent with current law and Federal Transit Administration guidance.
- 6.0 **ECONOMIC IMPACT:** Does not apply.
- 7.0 **ALTERNATIVES:** Not adopting this resolution. Not adopting this resolution would result in a Paratransit policy that remains out of date.
- 8.0 **RECOMMENDATION:** This resolution was discussed at the November 10, 2020 Committee of the Whole meeting and recommended for consideration by the full Board of Trustees. It is recommended that this resolution be adopted.
- 9.0 **ATTACHMENTS:** A. Red-line of Chapters 1084, 1085 and 1086

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.

  
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General Manager, Chief Executive Officer

# ATTACHMENT A TO STAFF SUMMARY

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## CHAPTER 1084

### Service to Elderly and Handicapped

1084.01—~~Fee for disabled discount fare cards.~~      1084.02—~~Fee for senior citizen discount fare cards.~~

#### CROSS REFERENCES

~~Fares for elderly and handicapped persons—see 49 U.S.C.A. 1604b-~~  
~~Maximum amount of fares for elderly and handicapped persons utilizing project facilities and equipment receiving assistance—see 49 U.S.C.A. 1604(m)~~  
~~Planning and design of mass transportation facilities to meet special needs of the elderly and the handicapped—see 49 U.S.C.A. 1612~~  
~~Nondiscrimination—see 49 U.S.C.A. 1615~~  
~~Human resources programs public transportation activities—see 49 U.S.C.A. 1616~~  
~~Transportation for elderly and handicapped persons—see 49 C.F.R. Part 609~~  
~~Senior citizen and handicapped fares—see VEH. & OP. 840.04~~  
~~Modification in service—see SERV. Ch. 1050-~~  
~~Service to activity centers—see SERV. Ch. 1080~~  
~~Eligibility of non ADA certified senior citizens for ADA complementary paratransit service—see SERV. 1085.01~~

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#### ~~FEE FOR DISABLED DISCOUNT FARE CARDS.~~

~~A fee of three dollars (\$3.00) shall be charged for new or replacement disabled discount fare cards to defray costs of card production and program administration. (Res. 1984 212. Passed 9-18-84.)~~

#### ~~FEE FOR SENIOR CITIZEN DISCOUNT FARE CARDS.~~

~~A fee of three dollars (\$3.00) shall be charged for new or replacement senior citizen discount fare cards to defray costs of card production and program administration. (Res. 1984 212. Passed 9-18-84.)~~

2018 Replacement



CHAPTER 1085  
ADA Complementary Paratransit Plan

~~EDITOR'S NOTE: Resolution 1992 45, passed March 17, 1992, adopted the Americans With Disabilities Act (ADA) Complementary Paratransit Plan in accordance with 49 Code of Federal Regulations, Parts 27, 37 and 38; Transportation for Individuals With Disabilities; Final Rule, September 6, 1991. Resolutions 1997 33, passed February 18, 1997, and 2003 140, passed September 16, 2003, amended the Plan. Copies of this Plan, and of any amendments thereto, may be obtained, at cost, from the Secretary to the Board of Trustees.~~

~~Resolution 1997 186, passed October 21, 1997, authorized the replacement of the Paratransit Plan's no show policy with a revised policy. Copies of such resolution and of the revised policy may be obtained, at cost, from the Secretary to the Board of Trustees.~~

~~Resolution 1994 73, passed May 17, 1994, authorized an agreement between LAKETRAN and the GCRTA for the coordination of ADA service in areas served by LAKETRAN and the Authority.~~

~~1085.01 Eligibility of non-certified  
customers for service.~~

CROSS REFERENCES

~~Fares for elderly and handicapped persons — see 49 U.S.C.A. 1604b  
Maximum amount of fares for elderly and handicapped persons utilizing  
project facilities and equipment receiving assistance — see 49 U.S.C.A.  
1604(m)  
Planning and design of mass transportation facilities to meet special needs of  
the elderly and the handicapped — see 49 U.S.C.A. 1612  
Nondiscrimination — see 49 U.S.C.A. 1615  
Human resources programs public transportation activities — see 49 U.S.C.A.  
1616  
Transportation for elderly and handicapped persons — see 49 C.F.R. Part 609  
Senior citizen and handicapped fares — see VEH. & OP. 840.04  
Modification in service — see SERV. Ch. 1050  
Service to activity centers — see SERV. Ch. 1080~~

~~1085.01 ELIGIBILITY OF NON-CERTIFIED CUSTOMERS FOR SERVICE.~~

~~(a) The General Manager/Secretary-Treasurer of the Authority is hereby authorized to certify all Community Responsive Transit (CRT) riders who are currently sixty-five years or older and all other persons who will be sixty-five years or older as of December 31, 1996, and who wish to use RTA paratransit services, and who are not otherwise eligible for special paratransit services as defined under the Americans With Disabilities Act (ADA) for mobility impaired persons (non-ADA-certified), as eligible for RTA ADA Complementary Paratransit Service Category III.~~

~~(b) All Category III service trips that are five miles or less in length (origin to destination) will be provided curb-to-curb without regard to the RTA ADA Complementary Paratransit Service Plan definitions of service area (i.e. within three-quarters of a mile of a fixed route service) and service periods (i.e. days and hours that fixed route service is normally operated). All Category III service trips that are greater than five miles in length (origin to destination) will be provided as specified in the RTA ADA Complementary Service Plan (i.e. feeder to fixed route service).~~

~~(c) In accordance with the ADA regulations that apply when there is insufficient capacity to meet all the trip demands of both ADA-certified and non-ADA-certified customers, all trip requests from ADA-certified customers must be fully accommodated before accommodating the trip requests of non-ADA-certified customers.~~

~~(d) A priority system to distinguish between ADA-certified and non-ADA-certified customers shall be developed and implemented to accommodate the provisions of subsection (c) hereof.~~

~~(Res. 1995-9. Passed 2-21-95.)~~



CHAPTER 1086  
Accessible Transit Services Policy

1086.01	Purpose; scope.	1086.03	General policies.
1086.02	Legal authority.	1086.04	Implementation.

CROSS REFERENCES

Americans With Disabilities Act—see 42 U.S.C.A. 12101 et seq.  
General provisions and definitions—see SERV. Ch. 1010

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**~~1086.01 PURPOSE; SCOPE.~~**

~~The purpose of this policy is to guide Authority activities relative to its various service modes so as to culminate in full system accessibility. This is accomplished through the integration of fixed rail and bus services with paratransit services (CRT) into a network of services comparable to that available to the general public. (Res. 1991-23. Passed 1-22-91.)~~

**~~1086.02 LEGAL AUTHORITY.~~**

~~This policy is developed in compliance with the newly enacted Americans With Disabilities Act (ADA) and revised rules issued by the U.S. Department of Transportation on October 4, 1990. These rules now require that:~~

- ~~(a) All transit vehicles purchased after August 26, 1990, must be accessible; and~~
- ~~(b) Transit operators must maintain current levels of paratransit service pending the issuance of final rules concerning supplemental services under ADA.~~

~~(Res. 1991-23. Passed 1-22-91.)~~

**~~1086.03 GENERAL POLICIES.~~**

~~(a) Integrated Accessible Transit Network. The continuing development of Authority's accessible transit system should be guided by the same principles of distribution as apply to general public services. Fixed rail and bus services should be the primary service modes available to all disabled persons who are physically capable of using these modes. Paratransit service (CRT) should supplement the fixed route network and its capacity dedicated to those persons who are unable to use the fixed route network.~~

SERVICES CODE

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~~(b) Quality of Accessible Services. The quality and utility of accessible transit services shall be comparable to services offered to the general public. Disabled passengers shall be afforded similar access to destinations, trip distances, wait and ride times, safety and reliability as the general public.~~

~~(c) Community Participation. The Authority's efforts to implement full accessibility should be guided by the interests and needs of the disabled community.~~

~~(d) Coordination With Community Resources. The allocation of the Authority's accessible transit services should be coordinated with similar services offered by municipalities, private and public agencies, and the private sector in order to minimize duplication of effort and eliminate gaps in service availability.~~

~~(Res. 1991-23. Passed 1-22-91.)~~

#### ~~1086.04 — IMPLEMENTATION.~~

##### ~~(a) Integrated Accessible Transit Network.~~

- ~~(1) Staff should be directed to develop appropriate mechanisms to support utilization of substantial capacity offered by a fully accessible fixed route network, and to preserve limited paratransit capacity for those persons unable to utilize fixed route services. Staff considerations should include service levels, pricing strategies, and eligibility guidelines which will support full utilization consistent with the allocation of resources mandated by Federal regulations and Authority policy.~~
- ~~(2) Examples of staff actions are as follows:
  - ~~A. Assess the need for changes in CRT service levels, notably Saturdays, weekday evening/nights and weekday capacity;~~
  - ~~B. Determine the appropriate relationship of fixed route and paratransit service fares;~~
  - ~~C. Review and revise, as appropriate, the eligibility guidelines for paratransit service; and~~
  - ~~D. Implement travel "buddy system" to assist disabled passengers using fixed route services.~~~~

##### ~~(b) Quality of Accessible Services.~~

- ~~(1) Staff should be directed to prepare a plan governing deployment of accessible vehicles leading to 100 percent accessibility of all bus lines, applying such criteria as residential distribution of disabled population, access to major destinations, and service performance guidelines similar to those adopted for the overall system. Rail station rehabilitation and~~

1991 Replacement

~~retrofit projects should be prioritized for accessibility in consideration of passenger volumes, interface with accessible bus routes, and proximity to the disabled population. Physical barriers at designated transfer points caused by high curbs, street hardware and traffic signal devices should be identified, and actions taken with responsible jurisdictions to eliminate these barriers. Future paratransit service adjustments should focus on eliminating current gaps in service and should be preceded by appropriate management actions to maximize available service capacity.~~

~~(2) Examples of staff actions are as follows:~~

~~A. Refine deployment criteria for accessible buses;~~

~~B. Develop accessible performance guidelines;~~

~~C. Prepare operator and administrative staff training and sensitivity awareness materials;~~

~~D. Eliminate physical barriers at rail stations and major transfer points;~~

~~E. Restructure cross-county medical service;~~

~~F. Optimize CRT passenger scheduling procedures; and~~

~~G. Increase monitoring of program performance.~~

~~(e) Community Participation.~~

~~(1) Staff should be directed to establish a working advisory committee which is representative of all segments of the disabled community to review Authority vehicle deployment plans, rail system accessibility plans and paratransit service adjustments and to monitor program performance.~~

~~(2) Examples of staff actions are as follows:~~

~~A. Hold public meetings; and~~

~~B. Meet with advisory committee on a regular basis.~~

~~(d) Coordination With Community Resources.~~

~~(1) Staff should be directed to inventory all relevant transportation resources provided in the community and work with providers to coordinate such resources.~~

~~(2) Examples of staff actions are as follows:~~

~~A. Maintain communications with other providers; and~~

~~B. Inventory available services.~~

~~(Res. 1991-23. Passed 1-22-91.)~~