

## 1.1 Agency Information

The Americans with Disabilities Act (ADA) Paratransit Plan for Santa Ynez Valley Transit has been developed in accordance with the Code of Federal Regulations, Title 49, Volume 1, from the U.S. Government Printing Office via GPO Access, cite 49CFR37.

### Submitting Entity

City of Solvang  
1644 Oak Street  
Solvang, CA 93463

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Telephone: (805) 688-5575

## 1.2 Administration and Oversight

In September 1992, the City of Solvang assumed administrative and management responsibility for Santa Ynez Valley Transit (SYVT) under terms of a Memorandum of Understanding between the County of Santa Barbara and the Cities of Buellton and Solvang. Prior to this time, administrative and management activities for SYVT were performed by the County of Santa Barbara. The daily operation of SYVT is performed under contract by a private company, Roadrunner Management Services.

## 1.3 Existing Fixed-Route Service

The fixed-route service links the cities of Buellton and Solvang with the adjacent unincorporated areas of Santa Ynez and Los Olivos within Santa Barbara County along two alignments. Two vehicles are used to operate the service providing bi-directional service Monday through Saturday, from 6:20 a.m. to 6:45 p.m. Based on American Community Survey 2015 data, the service area encompasses a population of approximately 22,103.

## 1.4 Existing Paratransit Service

SYVT operates a Dial-A-Ride service open to seniors age 60 and above (proof of age required) and ADA-certified patrons regardless of age. Service is reflective of the ADA regulations, which requires complimentary paratransit service within a ¾-mile corridor of existing fixed-route service. In some instances/neighborhoods, the Dial-A-Ride service may go beyond the mandated ¾-mile corridor. Service hours mirror the fixed-route service (Monday through Saturday from 6:20 a.m. to 6:45 p.m.). General public Dial-A-Ride is

offered on Sunday (8:30 a.m. to 12:30 p.m. and 1:00 p.m. to 4:00 p.m.) Exhibit 2 illustrates the fixed-route alignment as well as the Dial-A-Ride service area.

In Fiscal Year 2016/17 the Dial-A-Ride service provided 5,956 unlinked trips. The demand for paratransit service is estimated to remain constant or decrease slightly based on historical trends.

Exhibit 1: Historic Dial-A-Ride Ridership

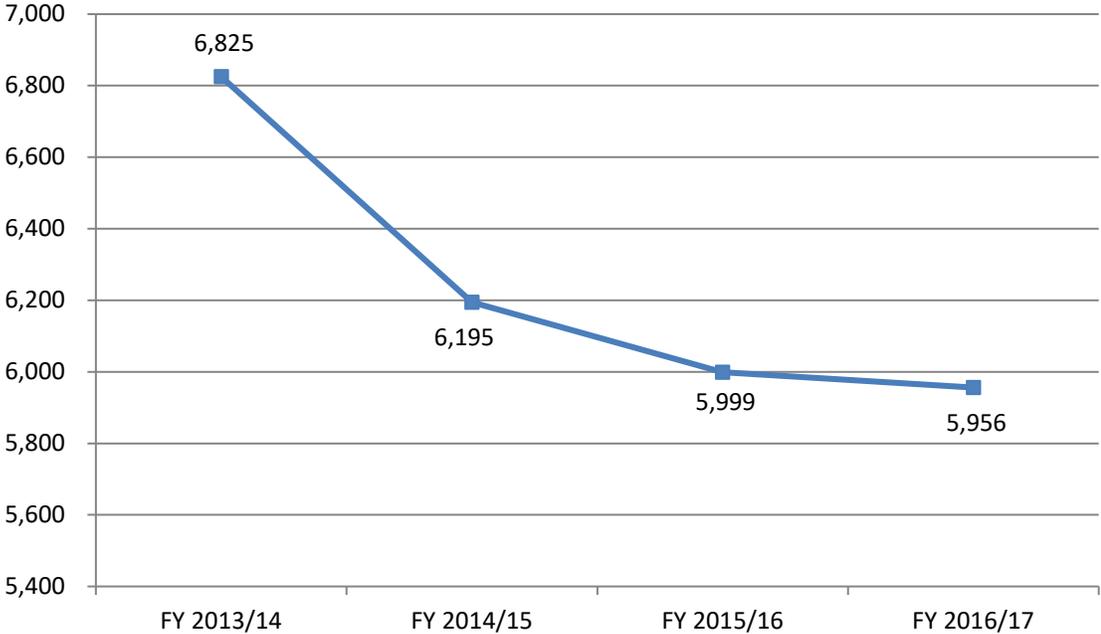
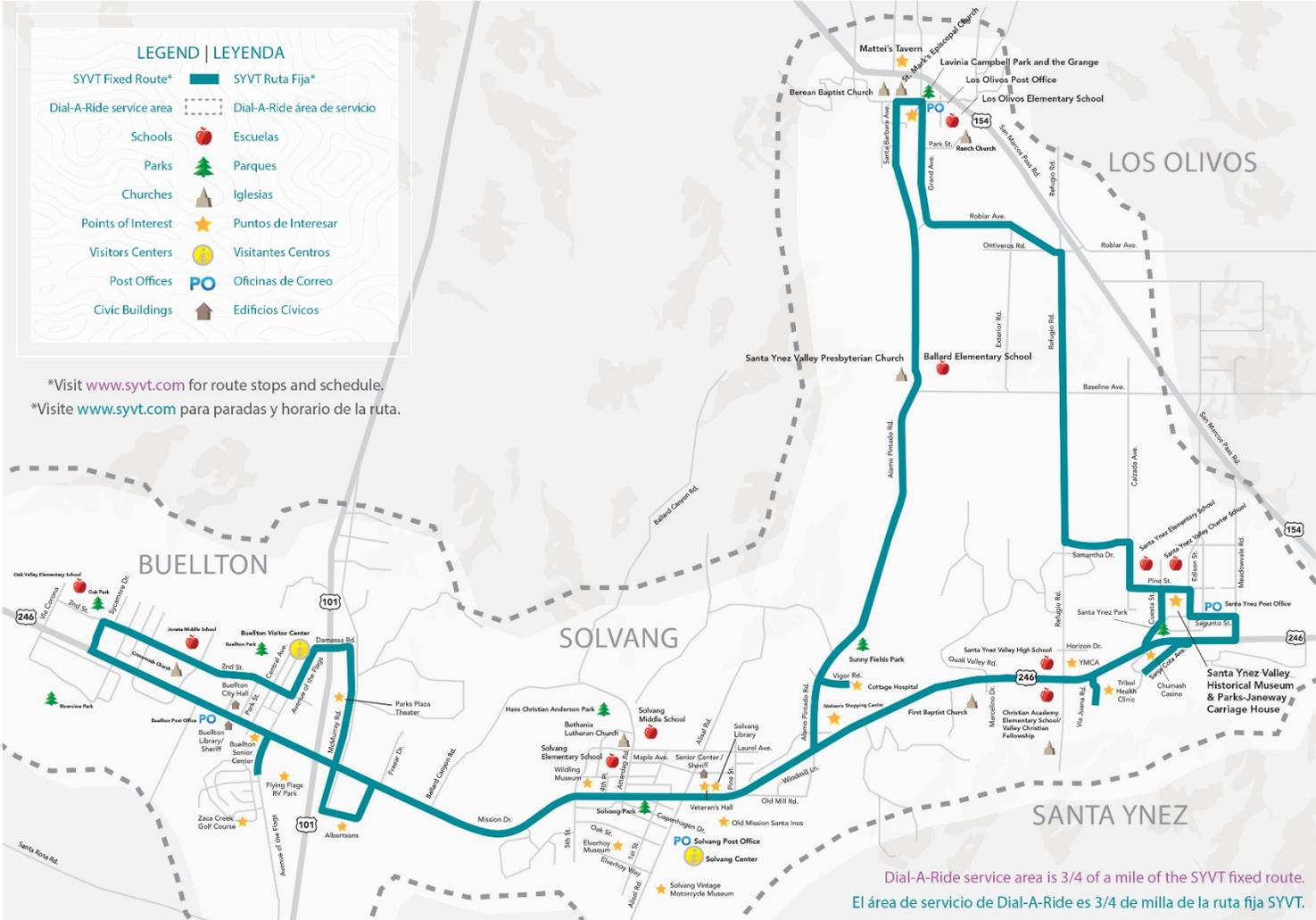


Exhibit 2: Local Fixed-Route and Dial-A-Ride Service Area Map



Capacity Constraints

SYVT works diligently to prevent delays to ADA customers due to capacity constraints. SYVT does not limit the availability of complementary paratransit service to ADA paratransit-eligible individuals by any of the following:

1. Restrictions on the number of trips an individual will be provided.
2. Waiting lists for access to the service.
3. Any operational pattern or practice that significantly limits the availability of service to ADA paratransit eligible persons.

- a. Such patterns or practices include, but are not limited to, the following:
  - i. Substantial numbers of significantly untimely pickups for initial or return trips.
  - ii. Substantial numbers of trip denials or missed trips.
  - iii. Substantial numbers of trips with excessive trip lengths.
- b. Operational problems attributable to causes beyond the control of agency (including, but not limited to, weather or traffic conditions affecting all vehicular traffic that were not anticipated at the time a trip was scheduled) shall not be a basis for determining that such a pattern or practice exists.

No Dial-A-Ride customer shall be denied a trip reservation due solely to wheelchair capacity constraints. SYVT staff may negotiate with customers a different trip pick-up or drop-off time to alleviate capacity constraints. The SYVT supervisor is also authorized to dispatch additional vehicles (as warranted) to accommodate ADA customers who would otherwise be denied a trip due to capacity constraints. Customers seeking service on SYVT fixed-routes who face capacity constraints (such as fully occupied wheelchair tie-down locations) should notify the dispatch office at (805) 688-5452 at the time of capacity concern. A Dial-A-Ride vehicle may be dispatched to accommodate the customer to their desired bus stop location and the customer will be charged their applicable fixed-route rate.

## 1.5 Fares

The current fare structure was adopted in June 2011 and is portrayed in Exhibit 3. The Dial-A-Ride service remains compliant with ADA regulations, which states the fare for a complementary paratransit service cannot exceed twice that of the general fare of the corresponding fixed-route service. As of July 1, 2011, the Dial-A-Ride fare for seniors and ADA-certified customers was reduced from \$2.25 to \$1.75 per trip through a JPA operating subsidy.

Exhibit 3: Current Fare Structure – Dial-A-Ride

Service Mode	Classification	Fare
Fixed-route	General Public	\$1.50
	Senior	\$1.25
	ADA-Certified	\$0.75
	Children under 5 (w/paying adult)	Free
	Multi-Trip Pass (General)	\$15.00
	Senior Multi-Trip Pass	\$12.50
	ADA-certified Multi-Trip Pass	\$7.50
	Monthly Pass (General)	\$42.50
	Monthly Pass (Senior)	\$35.00
	Monthly Pass (ADA-certified)	\$21.00
Dial-A-Ride	General Public (Sunday only)	\$2.25
	Senior/ADA-certified	\$1.75
	Senior/ADA-certified Multi-Trip Pass	\$17.50
	Attendants and Service Animals	Free*

*\*when accompanying an ADA-registered customer*

1.6 Paratransit Fleet Composition

Given the size of the SYVT program as well as the rural nature of the service area, the fixed-route and Dial-A-Ride service share a common fleet. The pull-out requirement for the fixed-route service is two vehicles, while the Dial-A-Ride service fleet requirement varies based on demand (i.e., the number of booked trips). All SYVT vehicles feature space for up to two (2) wheelchairs and are gasoline-powered. Exhibit 4 details the current SYVT fleet.

Exhibit 4: Fleet Composition

Vehicle #	Year	Vehicle Make	Vehicle Model	Mileage	Seating	ADA	Fuel Type	Length
973	2012	Starcraft	Allstar	196,918	16+2	Yes	Gas	25'
974	2014	Ford	Starcraft	90,590	16+2	Yes	Gas	25'
975	2014	Ford	Starcraft	82,964	16+2	Yes	Gas	25'
976	2016	Ford	Starcraft	33,823	16+2	Yes	Gas	25'
977	2016	Ford	Starcraft	41,564	16+2	Yes	Gas	25'

## 1.7 Public Participation

In early 2017, Santa Ynez Valley Transit commissioned a survey of Dial-A-Ride. The survey was designed to capture details regarding Dial-A-Ride (DAR) customer travel habits, perceptions, and mobility needs.

The survey was promoted via a variety of channels, including posters and flyers distributed to 18 locations within the Santa Ynez Valley; a direct mailer promoting the community workshops, community survey and the project webpage; a media release distributed to local news outlets; and Buellton and Solvang water bill inserts promoting the community survey. Promotion through such a variety of channels helped alert members of the community of their many opportunities to provide input. Among the engagement activities were a community survey, community workshops, and a Dial-A-Ride survey.

A survey instrument was submitted to Solvang's project manager for review and approval. The survey instrument was distributed via direct mail with a postage-paid return envelope to DAR customers. The surveys were mailed out January 17, 2017, and responses were accepted until February 28, 2017. Survey intercept methodology was also conducted over a three-day period in early February. Survey respondents did not raise significant issues during the collection.

The survey found:

- More than 80 percent of respondents cited using Dial-A-Ride service for health/social services or recreation/personal business.
- More than half of respondents (56.3 percent) cited being unable to drive or no longer drive as the primary motivation for using Dial-A-Ride.
- If the SYVT Dial-A-Ride service was not available, half of all respondents would not travel.
- The most important destinations for respondents to access include healthcare facilities during the week (90.9 percent), library during the week (80 percent), and church on Sunday (60 percent).
- Sixty-five percent of respondents obtain Dial-A-Ride service information from a printed brochure.

A community survey was also launched in early 2017 to identify community mobility needs, perceptions of SYVT's transit services among riders and non-riders, and barriers to use, as

well as potential motivators for use. Such data can help guide service evaluation and identify potential areas of improvement.

A survey instrument was crafted and provided to Solvang's project manager for review and approval. The survey was promoted via a variety of methodologies including a direct mailer to 1,500 households, along with posters and flyers distributed to 18 locations throughout the Santa Ynez Valley.

The link to the project webpage (which featured the online survey) was provided on the SYVT website, on posters and flyers, as part of the media release distributed to local media outlets, and on the direct mailers distributed to households throughout the community.

The survey instrument was available online via Survey Monkey and as a paper survey that was distributed randomly by first class mail to households throughout the Santa Ynez Valley on January 12, 2017. Community survey data collection was also conducted via in-person intercept methodology February 7-9, 2017. Survey participants did not raise significant issues regarding paratransit services during the commenting period.

A total of 548 valid responses were obtained. The survey found:

- Of those indicating they had ridden SYVT within the last 90 days, 74.4 percent were "very satisfied" with the service.
- Sixty-one percent of non-riders believe SYVT is a valued service in the community.
- Fifty-nine percent believe SYVT makes a difference for persons who don't have any other form of transportation.
- Sixty-four percent of respondents prefer to drive their own vehicle instead of using SYVT.
- The most frequent travel purposes include shopping (44.9 percent), recreation/personal business (38.3 percent), and work (33.8 percent).
- The most important destinations for respondents to access on weekdays include shopping (56.2 percent), healthcare (36.7 percent), and work (34.5 percent).
- The most important destination for respondents to access on Saturday was shopping (30.5 percent).
- The most important destinations for respondents to access on Sunday include church (21.7 percent) and shopping (20.1 percent).

The public was given the opportunity to provide public comment at two community workshops which took place on January 25 and January 26, 2017, as part of the development of a Short Range Transit Plan Update. Promotion of the community workshops included distribution of posters and flyers to 18 locations within the Santa Ynez Valley; a direct mailer to 1,500 households throughout the Santa Ynez Valley; and a media release to the Santa Ynez Valley Star and Santa Ynez Valley News, as well as outreach to community stakeholders. Workshop participants did not raise any issues regarding paratransit services.

Santa Ynez Valley Transit is the sole paratransit service provider for individuals with disabilities and seniors over the age of 60 in its jurisdiction.

## 1.8 SYVT ADA Certification Process

### Visitors

Persons certified as ADA-eligible by another transit agency who are visiting the Santa Ynez Valley may use the Dial-A-Ride service for a period of up to one month without proof of residency or completion of a SYVT ADA certification application.

### Persons with disabilities (all ages)

Persons with disabilities desiring use of the demand-response service must submit a completed application including a physician's signature. A photocopy of a government-issued identification card is also required. The application form, which is available in English and Spanish, is shown in Exhibit 5.

As outlined within the ADA, there are three categories under which a person may be eligible for complementary ADA paratransit service:

1. An 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. An individual with a disability who needs the assistance of a wheelchair lift or boarding assistance device is able, with such assistance, to board, 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 during the hours of operation of 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.

3. An individual with a disability who has a specific impairment-related condition which prevents the individual from traveling to a boarding location or from a disembarking location on the regular system.<sup>1</sup>

Application

Eligibility will be based primarily on the information presented within the application. Therefore, it is important to complete the form completely and accurately. The completed application along with a photocopy of a government-issued identification card should be submitted to:

ADA Coordinator  
City of Solvang  
P.O. Box 107  
Solvang, CA 93464

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<sup>1</sup> 49 CFR §37.123 – ADA paratransit eligibility: Standards.

Exhibit 5: SYVT Dial-A-Ride Application Forms

Santa Ynez Valley Transit Dial-A-Ride Application Form	
Please send application form with photocopy of state issued ID to: Attn: ADA Coordinator City of Solvang 1644 Oak Street Solvang, California 93463	
Last Name: _____ First Name: _____ Date of Birth: ___/___/___ Home Address: _____ Mailing Address (if different from home address) _____	
Telephone Day ( ) _____ Telephone Evening ( ) _____	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female
*Are you over the age of 60? <input type="checkbox"/> Yes <input type="checkbox"/> No *Are you disabled? <input type="checkbox"/> Yes <input type="checkbox"/> No *Please provide photocopy of a state issued ID card with this application.	TTY/TTD (Hearing Impaired) <input type="checkbox"/> Yes <input type="checkbox"/> No
Please check all that apply when traveling: <input type="checkbox"/> Restricted to wheelchair <i>If restricted to a wheelchair, is it motorized?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Use of walking cane, walker, or crutches <input type="checkbox"/> Personal care attendant _____ <small>(Name and contact number of attendant)</small> <input type="checkbox"/> Service animal <input type="checkbox"/> Oxygen tank	Do you need to have information and materials provided to you in any of the following forms? (check all that apply) <input type="checkbox"/> Large print <input type="checkbox"/> Audio <input type="checkbox"/> Other: _____
Please provide the name and telephone number of someone we may contact in the event of an emergency: Name: _____ Relation: _____ Address: _____ Telephone Day ( ) _____ Telephone Evening ( ) _____	
ONLY COMPLETE THIS SECTION IF YOU HAVE A DISABILITY	
This section to be completed by applicant's Physician only.	
Physician's Name: _____ Phone ( ) _____ Address: _____	
What type of disability does the applicant have? (check all that apply) <input type="checkbox"/> Physical disability <input type="checkbox"/> Mental illness <input type="checkbox"/> Visual impairment <input type="checkbox"/> Other: _____ <input type="checkbox"/> Developmental disability <input type="checkbox"/> None	
Is the applicant's disability: <input type="checkbox"/> Temporary <input type="checkbox"/> Permanent If temporary, what is the estimated date that disability will end: ___/___/___ I certify that the eligibility information contained in this document is true and correct.	
_____ Physician's Signature	_____ Date
OFFICE USE ONLY	
<input type="checkbox"/> Approved: Permanent/Senior <input type="checkbox"/> Temporary (until) date: ___/___/___ <input type="checkbox"/> Denied	By: _____ Date: ___/___/___

For Dial-A-Ride information call (805) 688-5452

<b>Aplicación Para Santa Ynez Valley Transit Dial-A-Ride</b>	
<p>Por favor envíe la aplicación con una copia de su identificación proporcionado por el estado a:            Attn: ADA Coordinator            City of Solvang            1644 Oak Street            Solvang, California 93463</p>	
Apellido: _____ Nombre: _____ Fecha de Nacimiento: ___/___/___ Dirección de hogar: _____ Dirección de Correo (si es diferente de su hogar) _____	
Teléfono de Día ( ) _____ Teléfono de Noche ( ) _____	Género: <input type="checkbox"/> Hombre <input type="checkbox"/> Mujer
*¿Eres mayor de 60 años de edad? <input type="checkbox"/> Sí <input type="checkbox"/> No *¿Eres discapacitado? <input type="checkbox"/> Sí <input type="checkbox"/> No * Por favor envíe una copia de su identificación proporcionado por el Estado.	TTY/TTD (deficientes auditivos) <input type="checkbox"/> Sí <input type="checkbox"/> No
Por favor indica cuales aplican cuando viajando: <input type="checkbox"/> Limitado a silla de ruedas <i>Si limitado a silla de ruedas, ¿es motorizado?</i> <input type="checkbox"/> Sí <input type="checkbox"/> No <input type="checkbox"/> Uso de bastón, andador, o muletas <input type="checkbox"/> Asistente personal <input type="checkbox"/> Animal de servicio <small>(Nombre y número de contacto del asistente)</small> <input type="checkbox"/> Tanque de oxígeno	¿Se necesita tener la información y los materiales proporcionados a usted en cualquiera de las siguientes formas? (indica todas cuales aplican) <input type="checkbox"/> Letra grande <input type="checkbox"/> Audio <input type="checkbox"/> Otro: _____
Por favor proporciona el nombre y número de teléfono de alguien quien podemos contactar en evento de emergencia: Nombre: _____ Relación: _____ Dirección: _____ Teléfono de Día ( ) _____ Teléfono de Noche ( ) _____	
<b>SOLAMENTE COMPLETA ESTA SECCION SI TIENES UN DISCAPACIDAD</b>	
<b>Esta sección debe ser completada solamente por el médico del solicitante.</b>	
Physician Name: _____ Telephone ( ) _____ Address: _____	
What type of disability does the applicant have? (check all that apply) <input type="checkbox"/> Physical disability <input type="checkbox"/> Mental illness <input type="checkbox"/> Visual impairment <input type="checkbox"/> Other: _____ <input type="checkbox"/> Developmental disability <input type="checkbox"/> None	
Is the applicant's disability: <input type="checkbox"/> Temporary <input type="checkbox"/> Permanent If temporary, what is the estimated date that disability will end: ___/___/___ <i>I certify that the eligibility information contained in this document is true and correct.</i> _____ / ____ / ____ Physician's Signature Date	
<b>SOLAMENTE POR USO DE LA OFICINA</b>	
<input type="checkbox"/> Approved: Permanent/Senior <input type="checkbox"/> Temporary (until) date: ___/___/___ <input type="checkbox"/> Denied	By: _____ Date: ___/___/___

Para información de Dial-A-Ride llame al (805) 688-5452

### Application Review

Once an application is received, it will be reviewed by City of Solvang staff. Eligibility determination will be made within 21 calendar days.

### Approval/Denial Determination

Once a determination has been made, a written notification, or an alternate accessible format upon request, will be mailed regarding ADA certification. If the applicant is determined eligible for ADA certification, the letter will contain information on how to schedule a SYVT Dial-A-Ride trip. If it is determined the applicant is not eligible for ADA certification, the letter will explain the basis for denial.

### Appeals Process

Applicants who are denied certification and disagree with the eligibility decision have the right to an appeal. The applicant must request an appeal within 60 days of receipt of the initial eligibility decision. Individuals will have an opportunity to be heard in person and/or present additional information regarding their disability.

An Appeals Panel will review the case and make a final decision. The Appeals Panel will include persons not involved in the application approval/denial process. Once the appeal process is completed, the applicant will be notified within 30 calendar days. The final decision will be made available in writing or an alternate accessible format if so requested. If the appeal is denied, the reason(s) for denial will be included.

### Recertification

Any applicant categorized as having a permanent disability must undergo recertification every three (3) years. This allows Santa Ynez Valley Transit to update its records to ensure correct information regarding an applicant's disability and accurate emergency contact information are on file.

All applicants categorized as having a temporary disability will be given a specific date when eligibility to use Dial-A-Ride expires. Such determinations will be made on a case-by-case basis. If the disability persists beyond the expiration date given, a new application must be submitted.

### Trip Reservation Procedure

Santa Ynez Valley Transit is in compliance with the ADA and its reservation process adheres to the following:

*(b) Response time. The entity shall schedule and provide paratransit service to any ADA paratransit eligible person at any requested time on a particular day in response to a request for service made the previous day. Reservations may be taken by reservation agents or by mechanical means.*

- 1) The entity shall make reservation service available during at least all normal business hours of the entity's administrative offices, as well as during times, comparable to normal business hours, on a day when the entity's offices are not open before a service day.*
- 2) The entity may negotiate pickup times with the individual, but the entity shall not require an ADA paratransit eligible individual to schedule a trip to begin more than one hour before or after the individual's desired departure time.*
- 3) The entity may use real-time scheduling in providing complementary paratransit service.*
- 4) The entity may permit advance reservations to be made up to 14 days in advance of an ADA paratransit eligible individual's desired trips. When an entity proposes to change its reservation system, it shall comply with the public participation requirements equivalent to those of §37.137 (b) and (c).<sup>2</sup>*

Once an individual has been certified to ride Santa Ynez Valley Transit's Dial-A-Ride service, he/she may schedule a trip for any purpose. To schedule a trip, call (805) 688-5452. Upon reaching the dispatcher, the patron should be prepared to provide the following information:

- Rider's first and last name.
- If an attendant, child, companion, or service animal will also be riding.
- Rider's exact address, including an apartment number, building, or business name if appropriate.

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<sup>2</sup> 49 CFR §37.131 – Service criteria for complementary paratransit

- Exact pick-up address (if location differs from rider's address).
- The exact address of rider's destination, including suite number, building, or business name.
- Rider's requested pick-up time and appointment time (if applicable).
- If the rider is traveling with a wheelchair or other mobility device (scooter, crutches, etc.).

Reservations can be made Monday through Sunday between the hours of 7:00 a.m. and 5:00 p.m. After hours, customers should leave a detailed message (providing all information listed above). If the requested time is available, the trip will be scheduled the following service day. If the desired time is unavailable, the customer will receive a return phone call to the number provided on the message and the dispatcher will suggest alternative times. To help accommodate rider travel needs, trip reservations must be made no later than the day prior than the desired trip time. Same-day trip requests will be honored on an as-received basis, space permitting, and must be requested a minimum of two hours in advance.

Dial-A-Ride is a shared-ride service. Patrons are asked to allow at least a 30-minute travel time to their destinations given the vehicle may make additional pick-ups and drop-offs en route.

#### [Changes to Existing Reservations](#)

If a reserved trip will not be made as originally scheduled, it must be canceled and rescheduled as a new trip with the SYVT Customer Service Representative (not the driver) with the new origin and/or destination at least two hours in advance of the scheduled trip. Per the No-Show Policy, if the trip is not canceled two hours in advance, the customer will be considered a no-show if they choose not to take the scheduled trip. Depending upon the origin and destination of the new trip as well as other rider reservations, the customer may lose the originally scheduled pick-up time.

No changes to trip reservations will be allowed onboard the vehicle. The customer may take the trip as scheduled (and therefore incur no penalty) or may refuse to take the trip at the pick-up location (which will be considered a no-show). If the customer boards the vehicle, the driver will transport the customer to the scheduled location at the scheduled time. Boarding the vehicle will be viewed by the driver as confirmation by the customer that they want to take the reserved trip as originally scheduled. If the customer decides

after boarding the bus or en route that he/she does not wish to travel to the scheduled location, the driver will return the customer to his/her home as the schedule allows. The trip will be recorded as a no-show and any scheduled return trip will be canceled.

It is not the intent of SYVT to leave customers stranded away from home. However, last-minute schedule changes cannot be accommodated and will not be accepted onboard the vehicle due to their impact on the scheduled trips of other customers.

#### No-Show Policy

Santa Ynez Valley Transit depends on efficient scheduling to accommodate as many customers as possible. Therefore, it is important once a customer schedules a trip, the trip either be taken or cancelled within a reasonable amount of time. To ensure service efficiency and effectiveness, Santa Ynez Valley Transit has established a no-show and late cancellation policy. This policy allows SYVT to provide the most efficient service as possible to each of its customers.

Failing to appear for a scheduled trip, or canceling a trip without proper notice, is considered a no-show. A no-show is defined as:

- A passenger who fails to cancel an unneeded or unwanted scheduled trip.
- A passenger who is not at the designated pick-up location within two (2) minutes of the scheduled time or service window.
- A passenger who cancels a scheduled ride less than two (2) hours in advance of the scheduled pick-up time.

Drivers will wait up to two minutes at the scheduled pick-up location upon arrival or after the beginning of the scheduled service window.

To encourage policy compliance, the following consequences for repeated no-shows may be implemented:

- Two (2) no-shows within a four-month period will result in a verbal warning.
- Three (3) no-shows within a four-month period will result in a written warning.
- Four (4) no-shows within a four-month period will result in a written notice of a monetary fine or a seven (7)-day restriction on using the service (service suspension). A monetary fine, equal to the cost of the four (4) missed one-way trips (currently \$7.00

- for senior and ADA-certified patrons), may be imposed. A customer may not schedule another trip until the fine is paid in full.
- Five (5) no-shows within a four-month period will result in a written notice of a 30-day service restriction (service suspension).

Santa Ynez Valley Transit will notify all customers subject to service restrictions in writing. Upon request, such notification will be made available in alternate format. Additional details regarding the format of verbal and written notices are provided in Section 1.9.

Santa Ynez Valley Transit has an appeals process that allows customers to appeal any monetary fine or restriction in service due to repeated no-shows. A customer may submit a written appeal within seven (7) calendar days of receiving notification and should submit a letter to Santa Ynez Valley Transit specifically outlining why the monetary fine or service restriction (suspension) should not be implemented.

## **1.9 Rider Behavior**

### **Prohibited Behaviors**

To ensure safety for both SYVT customers and staff, SYVT prohibits seriously disruptive behavior, public health threats, and refusal to comply with rules. ADA regulations expressly authorize a public transit agency to suspend a Dial-A-Ride customer's service because of no-shows. ADA regulations also expressly authorize a public transit provider to refuse or suspend service to a Dial-A-Ride customer if the customer engages in conduct that is violent, seriously disruptive, or illegal.

The following list provides examples of behavior and conduct that, generally speaking, would meet the ADA's "violent, seriously disruptive or illegal conduct" standard. These examples serve as a starting point for the case-by-case determination required by the Service Refusal and Service Suspension policies and should not be viewed as a basis for automatic service suspension or refusal. In addition, this is not an exhaustive list of conduct and behaviors that might be encountered within the SYVT Dial-A-Ride program. These examples serve as representative illustrations of conduct and behavior that is potentially within the scope of the Service Suspension Policy and should be evaluated according to that policy's requirements.

### *Violent, Seriously Disruptive, or Illegal Behavior*

Service may be refused to riders who engage in violent, seriously disruptive, or illegal behavior. Examples of such behaviors include, but are not limited to, the following:

- Physical actions toward operators or other passengers, such as striking, biting, kicking, spitting, and/or throwing items.
- Threatening operators or other passengers.
- Isolated instances or a demonstrated pattern of causing damage to vehicles, such as tearing seats, breaking windows, breaking seatbelts, removing or disabling equipment, and similar conduct.
- A demonstrated pattern of no-shows.
- Isolated instances or demonstrated pattern behaviors causing service disruption, i.e., that result in the bus operator having to interrupt service for a significant time period or having to put the vehicle out of service, preventing pick-up or drop-off of other customers, or results that have a similarly disruptive effect on service. Such behaviors include but are not limited to continuous shouting, screaming, banging the windows, upsetting other passengers, causing other passengers to engage in seriously disruptive conduct, and opening emergency windows.
- Isolated instances or a demonstrated pattern of unlawful behavior, such as possession of drugs or an open container of alcohol, smoking, exposing oneself, urination onboard SYVT vehicles, sexual harassment of SYVT customers or employees, and any other illegal behavior.

### *Public Health Threats*

Service may be refused to any rider who poses a potential public health threat. Examples of public health threats include, but are not limited to, the following:

- A demonstrated pattern of uncontained incontinence;
- The existence of excrement on clothes or on hands; and
- The existence of other body fluids, such as blood or vomit, on face, hands, or clothing.

### *Refusal to Comply with Safety Rules*

A rider that refuses to comply with posted safety rules or driver instructions may be refused service. An example of such a refusal includes, but is not limited to:

- A demonstrated pattern of refusal to travel safely, such as refusal to remain seated (when seats are available and standing would pose a risk to safety), refusal to remain in an upright position, refusal to have mobility device secured, or boarding or attempting to board with an unsafe mobility device.

If the prohibited behavior results from a disability, SYVT may require that a Personal Care Attendant (PCA) ride with the rider to control the prohibited behavior. Such a modification may also be required of senior customers who are unable to control their behavior due to dementia or other cognitive or memory issues.

#### *Not Sufficient to Support Service Suspension or Refusal*

While the following behaviors may be undesirable and/or unwanted, they alone are not sufficient to support service suspension or refusal:

- Abusive or profane outbursts that do not fall under the criteria for “seriously disruptive behavior”; and
- Language or comments that are offensive, annoying, or embarrassing to SYVT operators or staff.

#### Service Refusal Policy

Service refusal is intended to address conduct or behavior occurring at the time of service delivery but for which a suspension would not be appropriate. For example, an SYVT customer who on a particular occasion insists on boarding with an unsafe device or object, or who is engaging in violent conduct, may be refused service on that occasion. The operator must immediately notify dispatch of the service refusal and the reason(s) for the service refusal. This should include a detailed factual description of the conduct or behavior upon which the operator based the decision to refuse service. The driver and dispatcher shall both document the incident via an incident report.

Where appropriate, alternative transportation arrangements should be made for an SYVT Dial-A-Ride customer to ensure the customer’s safety. For example, service refusal at a customer’s place of residence would not require alternative transportation. However, a service refusal at a non-home location could require that such arrangements be made. This could be in the form of a taxi ride home or being picked up by an SYVT field supervisor. In any case, the action should be documented and the trip must be recorded as a no-show. It

is important that the trip be recorded as a no-show so that it will serve as a deterrent to the undesired behavior.

If service is refused for a prohibited behavior that is later determined to be the result of a disability, SYVT will work with the customer and/or the customer's representative to identify an accommodation or modification that will help prevent future service refusals due to the prohibited conduct or behavior.

Service refusals may not be used as a substitute for a service suspension. Behavior occurring repeatedly should be reviewed and addressed in accordance with the guidelines for service suspensions.

#### [Service Suspension Policy](#)

##### *Investigation*

Reports of inappropriate conduct (including no-shows) must be investigated to the extent practicable to determine the facts of the events giving rise to the report. If the investigation confirms that the conduct did occur, the investigator must then determine whether the conduct rises to the level of violent, seriously disruptive, or illegal.

In making this determination, the cause of the conduct should be considered; for example, if information is brought forward indicating the customer's conduct is asserted to be involuntary due to their disability. In such circumstances, the relationship of the disability condition to the conduct at issue must be considered. If the available information shows the conduct is involuntary and caused by the customer's disability, SYVT must consider whether the conduct is such that some reasonable modification would enable the individual to use the service. If reasonable modification is not possible, or if the conduct is not involuntary or caused by the customer's disability, reasonable modification would not be required. If appropriate, continued use of paratransit service may be conditioned upon the customer's compliance with measures reasonably calculated to ensure the safety of the customer, other passengers, or employees.

##### *Warnings*

Generally, a service suspension should be implemented only after the customer has been given at least one (1) verbal warning and one (1) written warning (a total of two warnings) regarding the conduct or behavior for which a service suspension is contemplated.

A verbal warning must be documented by the driver or dispatcher via an incident report. This report should include the specifics of the behavior or conduct involved; the time, date and location of the conduct; the date and time the verbal warning was given, the name and title of the SYVT employee who gave the verbal warning, and any other relevant facts. The incident report should note that the SYVT employee informed the customer as to the specific behavior that should cease or be corrected as well as the potential consequences of failing to change the behavior.

A verbal warning should be given when a DAR customer has accrued two (2) no-shows within a four-month period.

Behavior that triggers a written warning (including a no-show) must be documented by the driver or dispatcher via an incident report. A written warning should describe the behavior or conduct for which the warning is given. This description should include the specifics of the behavior or conduct involved; the time, date and location of the conduct; details regarding the prior verbal warning; and any other relevant facts. The written warning should advise the customer that the behavior or conduct must cease or be corrected, and of the consequences of failure to cease or correct the behavior or conduct. If appropriate, the warning should include a description of the conduct expected of the customer in the future or of the modification offered or required as a condition of continuing to provide SYVT Dial-A-Ride service. SYVT staff shall consider whether the written warning itself or the corrective action suggested or the modification offered should be further discussed with the customer and/or his or her representative.

A written warning should be given when a DAR customer has accrued three (3) no-shows within a four-month period.

#### *Notice of Service Suspension*

If the proposed service suspension is the result of four (4) no-shows within a four-month period, the customer will be issued a Notice of Service Suspension effective for seven (7) days, as detailed in the No-Show Policy. The customer will be given the opportunity to pay a monetary fine equal to the four (4) missed one-way trips in lieu of a potential service suspension. If the customer elects to pay the fine in lieu of a service suspension, no trips will be scheduled until the fine is paid, and service will resume immediately upon full payment of the monetary fine.

If the proposed service suspension is the result of five (5) no-shows within a four-month period, the customer will be issued a Notice of Service Suspension effective for thirty (30) days, as detailed in the No-Show Policy. No payment of a monetary fine will be accepted in lieu of suspension.

Notice of any proposed service suspension must be in writing. The notice must include identification of the prior warnings given regarding the conduct at issue. For each warning listed in the notice, the date of the warning, the behavior or conduct for which the warning was issued, and the customer's attempts to cease or correct the behavior or conduct shall be summarized. If the service suspension is due to no-shows, the date, time, and pick-up location of each no-show should be included in the written notice.

For behavior-related issues, service suspension should be implemented only after customer has been given the opportunity to be heard on the issue for which SYVT is contemplating a service suspension (a "pre-suspension meeting").

The notice must include a description of the immediate behavior or conduct which prompted the Notice of Service Suspension. This description should include the specifics of the behavior or conduct involved; the time, date and location of the conduct; and any other relevant facts.

The notice must advise the customer of his or her opportunity to be heard in-person or to submit written or alternative format information for SYVT's consideration regarding the proposed behavior-related suspension. The notice shall advise the customer that the customer or the customer's representative must contact SYVT's designated representative within one week (stipulate date) to request an in-person meeting. The name of and phone number for the designated representative shall be stated in the notice. If the customer prefers instead of an in-person meeting to submit a written response to the proposed suspension, the notice shall advise the customer of the date by which the written response must be received by SYVT. Extensions of this date may be allowed for good cause.

Dial-A-Ride service will continue to be provided during the notification and pre-suspension meeting process unless the behavior in question creates an immediate risk to safety.

### *Pre-Suspension Meeting*

If the customer or his/her representative has timely requested an in-person meeting regarding the proposed suspension for a behavior-related issue, the City-designated representative shall notify the customer of the date and time for the meeting. The meeting shall occur at City of Solvang offices unless a different location is agreed upon by the City-designated representative and the customer. If necessary, paratransit service shall be provided to the customer to and from the place of the pre-suspension meeting.

The pre-suspension meeting shall be informal. The customer shall be given the opportunity to provide the City-designated representative with the customer's account, orally and by documents and other information, of the incident(s) upon which the proposed suspension is based. The customer may also present any other information relevant to the incident(s) upon which the proposed suspension is based. The customer may present his or her account and related information through a representative.

Once the pre-suspension meeting is complete or the customer's written submission has been received and reviewed, or alternatively, the customer has neither requested a pre-suspension meeting nor provided a written submission by the specified date, the City-designated representative shall review the available information and decide whether or not to suspend service and, if service is to be suspended, determine the length of the behavior-related suspension. The customer shall be notified in writing of the decision, and the basis for the decision shall be explained. If the decision is to suspend the customer's SYVT Dial-A-Ride service, the customer shall also be advised of his or her right to appeal the service suspension. A description of the procedure for requesting an appeal of a service suspension shall also be included.

### *Duration of Service Suspension*

A service suspension for a behavior-related issue should be "for a reasonable period of time." "Reasonable period of time" depends on the facts of the specific incident. In determining the length of the service suspension, the following factors should be considered:

- The need to protect other customers, employees, or system safety;
- The seriousness of the risk created or harm caused by the customer's behavior or conduct;

- The number of prior warnings given and the period of time over which those warnings were given; and
- The likely corrective effect of the suspension on the customer's future behavior or conduct, in light of the customer's particular condition.

Generally, similar situations should be addressed by similar suspensions. Suspensions due to seriously disruptive behavior may be different than those imposed per the No-Show Policy depending upon the situation.

#### *Exceptional conduct*

Conduct that inflicts serious harm on another customer or a SYVT operator or employee, results in serious damage to SYVT property, or creates an immediate actual risk to safety, may warrant immediate suspension of service without prior warning or a pre-suspension hearing. As soon as practicable following imposition of a suspension for exceptional conduct, the customer should be advised in writing of the basis for the suspension, including a description of the behavior or conduct involved; the time, date and location of the conduct; and any other relevant facts. The customer should also be advised of the opportunity for a pre-suspension meeting, as described above for Notice of Service Suspension. The procedures for convening a pre-suspension meeting outlined above should then be followed.

A suspension for exceptional conduct should be based on behavior or conduct that is extreme or egregious. A suspension under this provision should be the exception, not the rule, and should be used sparingly to address only the most severe and immediately dangerous or threatening actions. If such a suspension is necessary, it should be for no less than thirty (30) days.

#### Service Suspension Appeals Process

Customers who receive a service suspension based on behavior or conduct have the right to an appeal. The customer must request an appeal in writing within ten (10) calendar days of receipt of the decision regarding service suspension. The suspension will be put on hold during the appeals process unless the behavior in question creates an immediate risk to safety.

An Appeals Panel will review the case and make a final decision. The Appeals Panel will include persons not involved in the investigation and review of the initial determination or

the pre-suspension meeting. Once the appeals process is completed, the applicant will be notified within ten (10) calendar days. The final decision will be made available in writing or an alternate accessible format if so requested. If the appeal is denied, the reason(s) for denial will be included, and the suspension will be reinstated.