

AMERICANS WITH DISABILITIES ACT

TRANSPORT OF OLDER PASSENGERS
AND PASSENGERS WITH DISABILITIES



The ADA is a civil rights law that prohibits discrimination and guarantees that people with disabilities have the same opportunities as everyone else to participate in the mainstream of American life -- to enjoy employment opportunities, to purchase goods and services, and to participate in State and local government programs and services.



The Americans with Disabilities Act (ADA) applies to both public and private ground transportation providers. The ADA rules that apply to transportation are regulated by the U.S. Department of Transportation.



The ADA guarantees people with disabilities equal access to public transportation. This means that public transportation providers cannot refuse to provide a passenger with transportation because they have a disability.



Under the ADA, transit and transportation vehicles bought with public funds and operated by public agencies must have a boarding device (lift or ramp) so that a passenger who uses a wheelchair or mobility device can reach a securement location onboard. The vehicle must also be equipped with appropriate securement equipment.

Under the ADA, operators must properly assist individuals with disabilities and treat those individuals in a respectful and courteous manner, with appropriate attention to the differences among individuals with disabilities.

Under the ADA, you may refuse service to someone who engages in conduct that is:

- Violent
- Seriously disruptive
- Illegal
- Direct threat

You may not refuse to provide service to an individual with a disability solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of the agency or other passengers.

When an individual with a disability enters a vehicle, and because of a disability, the individual needs to sit in a seat or occupy a wheelchair securement location, the driver shall ask non-disabled and non-elderly passengers sitting in priority seating areas or wheelchair securement locations to move. The driver is not required to enforce the request to move.



- The driver must be trained to use the vehicle's accessibility equipment, including the lift and wheelchair securement equipment, and to accommodate different types of mobility devices.
- The driver, not an aide, must use the vehicle's lift.
- Under the ADA, you must provide service to a personal care attendant. You may not require a passenger to be accompanied by a personal care attendant.

- Passengers with a disability who do not use a seated mobility device have a right to use the lift on your vehicle. This includes standees using a walker, cane, or no device at all.
- You must operate the accessibility equipment, including the lift or ramp, when appropriate or upon request.

- The driver must ask a passenger with a disability if they need assistance and what sort of assistance they prefer.
- In the event of a lift or ramp failure, immediately notify dispatch.



- Passengers may board the lift facing forward or backward, but backward is recommended.
- So long as the lift and vehicle can physically accommodate the size and weight of a mobility device and rider, you must transport them.



- If you are unable to properly secure a mobility device because all securement areas are in use, do not transport the passenger. Call for another vehicle to transport them.
- If you do not have sufficient equipment in place to secure the mobility device, explain this clearly to the passenger. Emphasize the risks of transporting the device without proper securement. If the passenger still insists on being transported without proper mobility device securement, you must transport them.

- You may refuse to transport a rider who refuses securement of their mobility device.
- You may not refuse to transport a passenger with a disability because they are travelling with a respirator or portable oxygen supply.
- You may not refuse service to a passenger with a service animal or make the passenger and animal sit in a particular area.

- You must audibly announce stops at transfer points, major intersections, destination points, and appropriate regular intervals. You must also announce any stop upon request by the passenger.
- If needed, you must push or pull a wheelchair up a ramp.



- You may not require a passenger to transfer from a seated mobility device to a vehicle seat.
- You may not require a passenger to use a priority seat designated for passengers with disabilities.

