

Office of Civil Rights

ADA/Disability Awareness 2020



Metropolitan Transportation Authority

Metro

Office of Civil Rights

Accessibility Unit

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COURSE

This newly revised, largely hands-on session provides an overview of The Americans with Disabilities Act of 1990 (ADA), its impact on Metro, and an opportunity to learn first-hand how important accessibility is to our customers.

Recent attendees remarked, "Informative...interesting...well done," and expressed new insights about accessibility features, "even though I see them every day."

Who Should Attend: Employees who interact with customers or the public, and employees who want to learn more about Metro's commitment to serving customers with disabilities.

The course provides an interactive learning experience and a "do the right thing" approach to accessibility and inclusion for customers with disabilities.

Course will cover:

- Civil rights and ADA law
- Transit and Programs accessibility
- Sensitivity toward people with disabilities
- Workplace accommodation

This course resource booklet is provided at the training session.

AGENDA:

Part 1 (1 hour)

- Knowledge/Information
- Understanding Disabilities

Break (15 min)

Part 2 (1 hour 30 minutes)

- Field Exercise
- Discussion

LEGAL LANDSCAPE

Early laws enacted to provide protection and equal access for people who are disabled:

- **Social Security Act is signed in 1935** - President Franklin Delano Roosevelt (the first President of the United States with a known disability) signs the Social Security Act, establishing a program of permanent assistance to adults with disabilities.
- **Civil Rights Act is passed in 1964 but does not include people who are disabled** - This Act helped end discrimination against minorities and women in the workplace. Individuals with disabilities still lacked opportunities to participate in and be contributing members of society, still lacked access to employment, and still experienced discrimination based on disability.
- **Rehabilitation Act passes in 1973** - The first inclusive laws protecting the rights of people who are disabled. The Act prohibited discrimination in federal programs and services, and all other programs or services receiving federal funds. Key language in the Rehabilitation Act, found in Section 504, mandates that any organization receiving federal money make their programs and jobs accessible to qualified people with disabilities.
- **Today we have the Americans with Disabilities Act (ADA) which became law in 1990** - It was signed into law by President George H.W. Bush. The ADA provided comprehensive civil rights protection for people with disabilities. Closely modeled after the Civil Rights Act and Section 504, the law was the most sweeping disability rights legislation in history. It mandated that local, state and federal governments and programs be accessible, that businesses with more than 15 employees make “reasonable accommodations” for disabled workers, and provided for public accommodations by restaurants and stores, etc., to ensure access for people with disabilities. The act also mandated access in public transportation, communication, and in other areas of public life.

Accessibility to public transit provides opportunities for:

- | | |
|-----------------------------|----------------------------|
| • Employment | • Shopping |
| • Advancement | • Travel |
| • Economic Self-Sufficiency | • Social/Recreation/Family |
| • Independence | • Full Participation |
| • Education | • Improved Quality of Life |
| • Appointments | |

AMERICANS WITH DISABILITIES ACT OF 1990

“No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by such entity.”

ADA ORGANIZATION

Title I – Employment

In Title I of the ADA, employers are prohibited from discriminating against “qualified individuals” with a disability, and it requires employers to make reasonable accommodations which will permit individuals with disabilities to work and advance in their careers.

Title II – Public Entities and Transportation

In Title II, the ADA covers state and local governments, their departments, agencies, and districts. All services, programs and activities of public entities are covered. Public transportation services operated by state and local governments are covered. In essence, Title II prohibits denying a person with a disability the right to participate in a service, program, or activity simply because the person is disabled. For example, a city may not exclude individuals who use wheelchairs from accessing public parks and recreational facilities. Or in the case of transportation: Metro must provide accessible boarding for buses and trains or provide paratransit service to an individual with a disability who cannot use the regular transit system independently.

Title III – Public Accommodations and Services

In Title III, the ADA prohibits private entities from discriminating against individuals with disabilities in the provision of goods, services, and facilities. There are twelve categories of public accommodation. Practically all types of private business that serve the public are covered under title III, regardless of size (including both profit and non-profit businesses). However, private clubs and religious organizations are exempt.

Title IV – Telecommunications

Title IV provides for telephone and television access for people who are hearing- or speech-impaired. Under Title IV, telecommunications companies (telephone or television) providing interstate or intrastate communication are required to establish telecommunications relay services on a round- the- clock basis. Telecommunications Relay Services enable people who are hearing or speech impaired to use text telephones to communicate through a third party communication assistant. Metro refers hearing- and speech-impaired people to the California Relay Service, 711 (plus number to call).

Title V – Miscellaneous provisions

Title V of the ADA prohibits anyone from coercing, threatening or retaliating against either the person who is disabled or persons attempting to help disabled people in asserting their rights under the ADA.

Title III – Additional Information

Title III – Public Accommodations and Services

Under the ADA public accommodations are private entities that own, lease, lease to or operate a place of public accommodation. This means that both a landlord who leases space in a building to a tenant and the tenant who operates a place of public accommodation have responsibilities to remove barriers.

A place of public accommodation is a facility whose operations affect commerce and fall within at least one of the following 12 categories:

1. Places of lodging (e.g., inns, hotels, motels, except for owner-occupied establishments renting fewer than six rooms)
2. Establishments serving food or drink (e.g. , restaurants and bars)
3. Places of exhibition or entertainment (e.g. , motion picture houses, theaters, concert halls, stadiums)
4. Places of public gathering (e.g. , auditoriums, convention centers, lecture halls)
5. Sales or rental establishments (e.g. , bakeries, grocery stores, hardware stores, shopping centers)
6. Service establishments (e.g. , Laundromats, dry-cleaners, banks, barber shops, beauty shops, travel services, shoe repair services, funeral parlors, gas stations, offices of accountants or lawyers, pharmacies, insurance offices, professional offices of health care providers, hospitals)
7. Public transportation terminals, depots, or stations (not including facilities relating to air transportation)
8. Places of public display or collection (e.g. , museums, libraries, galleries)
9. Places of recreation (e.g. , parks, zoos, amusement parks)Places of education
10. Places of education (e.g. , nursery schools, elementary, secondary, undergraduate, or postgraduate private schools)
11. Social service center establishments (e.g. , day care centers, senior citizen centers, homeless shelters, food banks, adoption agencies)
12. Places of exercise or recreation (e.g. , gymnasiums, health spas, bowling alleys, golf courses)

WHAT IS A DISABILITY?

The ADA uses the term “individual with disabilities” to focus attention on the person, not the disability.

Specific disabilities are not listed; instead, the ADA generally defines disability as:

- A physical or mental impairment that substantially limits one or more of the major life activities
- Having a record of a mental or physical impairment
- Being perceived or regarded as having a mental or physical impairment that substantially limits one’s major life activities

A major life activity is an activity that is central to daily life.

Examples:

- Walking
- Seeing
- Hearing
- Breathing
- Caring for oneself
- Sitting
- Standing
- Lifting
- Learning
- Thinking
- Working
- Performing manual tasks

PENALTIES OF NON-COMPLIANCE

How does Metro comply with the law?

- The Americans with Disabilities Act of 1990 (ADA) is federal civil rights law designed to eliminate discrimination against Americans with physical and mental disabilities.
- The ADA has regulations and requirements that are incorporated into the Metro *Operator's Rulebook and Standard Operating Procedure (SOP)*, Metro's hiring practices, Civil Rights complaints processing system, Web site standards and other areas.
- Additionally, the statutes, codes and regulations from the California Disabled Person Act, the California Unruh Civil Rights Act, and the federal Department of Transportation are incorporated into Metro policies.
- These codes and regulations are laws that must be followed, just like you would follow traffic signal lights, pedestrian rights, building codes for ramps and elevators, and other vehicle codes and civil codes.

What is the liability?

- Metro may be named as a defendant when sued by an individual or group.
- Metro employees also may be individually named as defendants in a lawsuit.
- Metro is typically sued for injunctive relief (ordered to act or to cease an action), which results in improvement of processes and procedures, or discontinuing some activity, or both.
- Monetary damages for "deliberate indifference" may be sought from Metro and from individual employees.
- Monetary damages have been awarded to individuals and groups to compensate them for harm suffered when Metro and its employees have not complied with ADA rules and regulations.
- Metro as an organization has spent considerable resources to support meeting ADA requirements. For a person or group who seeks to sue, it may be easier to prove individual deliberate indifference by an employee when he or she has been trained on work rules and regulations, yet continues to disregard his or her lawful obligations.
- A person or group also can sue an employee personally for punitive damages, but it must be shown that the employee was motivated by hatred, ill will, or deliberately intending to injure the person.
- Metro is not liable for punitive damages because it is a public agency.
- Punitive damages, as the term indicates, are meant to punish and deter.
- A single incident, such as a pass up or a failure to offer wheelchair securement, carries a \$4,000 liability per instance.



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FOR IMMEDIATE RELEASE: WEDNESDAY, JULY 25, 2012

Nearly 1 in 5 People Have a Disability in the U.S., Census Bureau Reports

Report Released to Coincide with 22nd Anniversary of the ADA

About 56.7 million people — 19 percent of the population — had a disability in 2010, according to a broad definition of disability, with more than half of them reporting the disability was severe, according to a comprehensive report on this population released today by the U.S. Census Bureau.

The report, *Americans with Disabilities: 2010*, presents estimates of disability status and type and is the first such report with analysis since the Census Bureau published statistics in a similar report about the 2005 population of people with disabilities. According to the report, the total number of people with a disability increased by 2.2 million over the period, but the percentage remained statistically unchanged. Both the number and percentage with a severe disability rose, however. Likewise, the number and percentage needing assistance also both increased.

"This week, we observe the 22nd anniversary of the Americans With Disabilities Act, a milestone law that guarantees equal opportunity for people with disabilities," said Census Bureau demographer Matthew Brault. "On this important anniversary, this report presents a barometer of the well-being of this population in areas such as employment, income and poverty status."

The statistics come from the Survey of Income and Program Participation, which contains supplemental questions on whether respondents had difficulty performing a specific set of functional and participatory activities. For many activities, if a respondent reported difficulty, a follow-up question was asked to determine the severity of the limitation, hence, the distinction between a "severe" and "nonsevere" disability. The data were collected from May through August 2010. Disability statistics from this survey are used by agencies — such as the Social Security Administration, Centers for Medicare and Medicaid Services, and the Administration on Aging — to assist with program planning and management.

The report shows that 41 percent of those age 21 to 64 with any disability were employed, compared with 79 percent of those with no disability. Along with the lower likelihood of having a job came the higher likelihood of experiencing persistent poverty, that is, continuous poverty over a 24-month period. Among people age 15 to 64 with severe disabilities, 10.8 percent experienced persistent poverty, the same was true for 4.9 percent of those with a nonsevere disability and 3.8 percent of those with no disability.

Other highlights:

- People in the oldest age group — 80 and older — were about eight times more likely to have a disability as those in the youngest group — younger than 15 (71 percent compared with 8 percent). The probability of having a severe disability is only one in 20 for those 15 to 24 while it is one in four for those 65 to 89.
- About 8.1 million people had difficulty seeing, including 2.0 million who were blind or unable to see.
- About 7.6 million people experienced difficulty hearing, including 1.1 million whose difficulty was severe. About 5.6 million used a hearing aid.
- Roughly 30.6 million had difficulty walking or climbing stairs, or used a wheelchair, cane, crutches or walker.
- About 19.9 million people had difficulty lifting and grasping. This includes, for instance, trouble lifting an object like a bag of groceries, or grasping a glass or a pencil.
- Difficulty with at least one activity of daily living was cited by 9.4 million noninstitutionalized adults. These activities included getting around inside the home, bathing, dressing and eating. Of these people, 5 million needed the assistance of others to perform such an activity.
- About 15.5 million adults had difficulties with one or more instrumental activities of daily living. These activities included doing housework, using the phone and preparing meals. Of these, nearly 12 million required assistance.
- Approximately 2.4 million had Alzheimer's disease, senility or dementia.
- Being frequently depressed or anxious such that it interfered with ordinary activities was reported by 7.0 million adults.
- Adults age 21 to 64 with disabilities had median monthly earnings of \$1,961 compared with \$2,724 for those with no disability.
- Overall, the uninsured rates for adults 15 to 64 were not statistically different by disability status, 21.0 percent for people with severe disabilities, 21.3 percent for those with nonsevere disabilities and 21.9 percent for those with no disability.

In addition to the statistics from this report, the Census Bureau also produces annual disability estimates from the American Community Survey (ACS). While the ACS uses a different definition of disability than in this report, it is capable of producing estimates of the population with disabilities at subnational geographies like states, counties, places and metropolitan areas. The Census Bureau has been collecting data about certain disabilities since 1930, when Congress added questions to the census on difficulty hearing, seeing and speaking.

Release Information

CB12-134

Contact: Robert Bernstein

[Public Information Office](#)

301-763-3030

[Detailed Tables](#)

WHO ARE METRO'S CUSTOMERS WITH DISABILITIES?

<ul style="list-style-type: none"> • Person with a mobility impairment? Using wheelchair, walker, cane 	<ul style="list-style-type: none"> • Person with "back problems"?
<ul style="list-style-type: none"> • Person using a cane? Wearing sunglasses? 	<ul style="list-style-type: none"> • Person who speaks loudly?
<ul style="list-style-type: none"> • Person using a guide dog? Service animal types 	<ul style="list-style-type: none"> • Person with unusual attention?
<ul style="list-style-type: none"> • Person with cerebral palsy? Affecting joints 	<ul style="list-style-type: none"> • Person with a seizure disorder?
<ul style="list-style-type: none"> • Person with a speech impairment? 	<ul style="list-style-type: none"> • Person using a reduced-fare Senior/Disabled TAP card?
<ul style="list-style-type: none"> • Person who is deaf? Using hearing aid? 	<ul style="list-style-type: none"> • Older adult?

Metro Reduced Fare Program

- Application
- Verification of disability

Access Services

- Paratransit required by ADA for fixed route service area
- Application
- Medical verification of disability
- Individual travel evaluation

EXAMPLES OF RESPECTFUL LANGUAGE

Outdated Language	Respectful Language
<ul style="list-style-type: none"> • The disabled • The handicapped 	<ul style="list-style-type: none"> • People with disabilities • Person with a disability
<ul style="list-style-type: none"> • The blind • The partially blind 	<ul style="list-style-type: none"> • Person with visual impairment • Person who is partially sighted
<ul style="list-style-type: none"> • The deaf • The hearing impaired 	<ul style="list-style-type: none"> • Person who is deaf • Person who is hard of hearing
<ul style="list-style-type: none"> • Dumb or mute 	<ul style="list-style-type: none"> • Person who is nonverbal
<ul style="list-style-type: none"> • Paraplegic 	<ul style="list-style-type: none"> • Person with a mobility impairment
<ul style="list-style-type: none"> • The retarded/ slow 	<ul style="list-style-type: none"> • Person with an intellectual disability • Person with a cognitive disability
<ul style="list-style-type: none"> • Hard to understand 	<ul style="list-style-type: none"> • Person with a speech impairment
<ul style="list-style-type: none"> • Wheelchair-bound • Confined to a wheelchair 	<ul style="list-style-type: none"> • Person who uses a wheelchair • Wheelchair user
<ul style="list-style-type: none"> • Led by a guide dog 	<ul style="list-style-type: none"> • Uses a dog guide / Dog guide • Uses a service animal

REFERENCES/ADDITIONAL RESOURCES

Americans with Disabilities Act (as amended), Title I, Title II, Title III, Title IV, Title V
<http://www.access-board.gov/about/laws/ada.htm>

ADA Title III List of Public Accommodation
<http://www.adachecklist.org/about.html>

Lives Worth Living Clip
<http://www.youtube.com/watch?v=5XqXieHAE2Q>

US Census Bureau, Newsroom Archive July 25, 2012
<https://www.census.gov/newsroom/releases/archives/miscellaneous/cb12-134.html>

<http://www.disabled-world.com/disability/types/invisible/>

<http://www.brainmilitary.org>

<http://www.brainline.org>

<http://www.brailleinstitute.org/accessibility-tools.html>

<http://www.disabilityrightsca.org>



Metro

**CIVIL RIGHTS
Providing Transportation Services to
Individuals with Disabilities**

(CIV 9)

POLICY STATEMENT

The Los Angeles County Metropolitan Transportation Authority (LACMTA) complies with all laws applicable to the provision of public transportation services for qualified individuals with disabilities. LACMTA's policy is to provide full and equal access to LACMTA's transportation services for individuals with physical and/or cognitive disabilities and to prohibit discrimination against qualified individuals with disabilities.

PURPOSE

This policy describes the steps and practices LACMTA takes to provide for the continuous improvement of an efficient and effective transportation system for qualified individuals with disabilities.

APPLICATION

This policy applies to all LACMTA employees, contractors, consultants, vendors, and customers.


APPROVED: County Counsel or N/A


Department Head


ADOPTED: CEO

Effective Date: 12/7/15

Date of Last Review: _____



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The Civil Rights Programs Compliance Department's responsibilities include, but are not limited to:

- Tracking and reviewing all allegations of accessibility violations.
- Training LACMTA personnel in accessibility requirements and sensitivity towards individuals with disabilities.
- Reviewing construction plans and inspecting new and renovated facilities for accessibility compliance.
- Inspecting accessibility features of existing facilities and equipment.
- Evaluating and recommending methodology and technology for enhanced accessibility of facilities and equipment.
- Conducting outreach to individuals with disabilities and agencies that provide services to persons with disabilities.
- Facilitation of the LACMTA Accessibility Advisory Committee.
- Ensuring the LACMTA's fixed route subrecipients of federal funding are compliant with the ADA.
- Ensuring the LACMTA is properly handling all requests for Reasonable Modification.

2.2 Operations

2.2.1 Transportation

Operations is responsible for:

- Providing LACMTA's accessible bus and rail services.
- Acquiring and maintaining accessible bus and rail equipment facilities.
- Training and supervising all employees for accessible bus and rail operation.

Operations is required to implement the service accessibility requirements for buses as described in Sections 3.1 and 3.2 and for rail as described in Sections 3.1 and 3.3

2.2.2 Maintenance

Maintenance is responsible for ensuring that all bus and rail equipment and facilities are fully accessible as described in Sections 3.1, 3.2 and 3.3.



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Individuals with disabilities are not required to be accompanied by an attendant to use LACMTA services.

Operators will allow adequate time for individuals to board and disembark.

3.1.3 Reserved Seating Areas

LACMTA provides reserved areas for individuals who use wheelchairs and other mobility devices. Wheelchairs are required to be in the areas designated for wheelchairs. Anyone sitting in the reserved wheelchair space, including seniors and individuals with disabilities, will be asked to move in order to allow an individual with a wheelchair or other mobility device to be boarded.

LACMTA provides reserved areas for seniors and individuals with disabilities; however, they may sit anywhere in the vehicle. Individuals sitting in the seats reserved for seniors and individuals with disabilities, and are capable of transferring to another seat, will be asked to vacate the reserved seats if they are needed for seniors and individuals with disabilities.

3.1.4 Stop Announcements

LACMTA requires its Operators to announce all stops along the route sufficiently in advance prior to arrival so that individuals, especially those with visual impairments or other disabilities, are orientated to their location; and that Operators announce stops upon request from an individual with a disability.

3.1.4.1 Bus Stops Serviced by Multiple Routes

LACMTA will make announcements outside each bus at every bus stop served by multiple bus routes so that an individual with a visual impairment or other disability can identify the proper bus line to be boarded.

3.1.5 Training

LACMTA personnel will be trained to proficiency in their assigned duties. Operators are trained to operate vehicles and equipment safely and properly. They are also trained to assist and treat individuals, including those with disabilities, with courtesy and respect. Appropriate attention will be given to differences among individuals with disabilities. Among other things, LACMTA



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Examples of service animal categories and the tasks that may be performed by service animals for individuals with disabilities include:

- **Guide Dog** – assist individuals with visual impairments; guide dogs vary in size and breed, and are not required to be muzzled.
- **Guide Dog Puppy** – puppy being trained as guide dog; vary in size and breed; an experienced guide dog may be used to train a puppy; guide dogs and trainers may ride without paying a fare.
- **Signal / Service Animal** – performs tasks to assist individuals with hearing impairments or other disabilities.
- **Psychiatric Service Animal** – trained to interrupt impulsive behaviors and alert the handler to calm down.

A service animal may not be excluded unless the animal is out of control and the handler does not take effective action to control it, or if the animal poses a direct threat to the health and safety of others. Service animals must not deprive an individual of a seat or block an aisle.

The service animal's handler is responsible for any damage or injuries caused by the animal while on/in any LACMTA bus, rail car or facility.

Emotional Support Animals are companion animals which provide therapeutic benefit such as alleviated or mitigating symptoms of a disability. They are not service animals and must be treated as a pet.

3.1.9 Respirators

LACMTA permits individuals with disabilities with a respirator or a portable oxygen cylinder, consistent with all applicable state and federal regulations, to board its vehicles.

3.1.10 Requests for Reasonable Modifications

Individuals with disabilities may request reasonable modification of LACMTA policies and procedures in order to fully utilize LACMTA facilities and services. LACMTA personnel must evaluate all requests received and adjudicate reasonable modification complaints using due process.

LACMTA personnel may deny such requests if they:

- Fundamentally alter the nature of the service, program, or activity;
- Create a direct threat to the health or safety of others;



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that the ramp equipment is not working; and notify the customer when the next bus with a working ramp is due to arrive.

If a ramp is inoperable and there is more than a thirty (30) minute scheduled headway on the line or segment of the line, LACMTA will promptly provide alternative transportation to any individual who cannot board the bus because of an inoperative ramp. When possible, the bus will be taken out of service until repaired, unless the bus is scheduled for return to the division within two hours.

Damaged or inoperative accessibility features will be repaired promptly. When an accessible feature is inoperative, reasonable steps will be taken to accommodate individuals with disabilities who would otherwise use the feature. This may include, but is not limited to, arranging with Access Services (see Section 3.4.1) to provide transportation, dispatching another bus, or hiring an accessible taxi.

LACMTA Operators must cycle the ramp during pre-trip inspections. Non-operational ramps will be reported immediately and the bus will be taken out of service (subject to the exception noted above). Frayed, excessively dirty, or damaged wheelchair securement equipment must be replaced before the bus returns to service.

LACMTA Operators must test the public address (PA) system and Automatic Vehicle Annunciator (AVA) during all pre-trip inspections prior to revenue service to ensure they are in working order. Any defects found must be repaired as soon as possible. If a bus with a defective PA and/or AVA system is operated in service, the Operator will call out all stops necessary to orient an individual with a disability to the surroundings.

3.2.4 Assisting Individuals with Disabilities

Operators will offer assistance to individuals with disabilities with the use of wheelchair securements and ramps, boarding and disembarking. They will secure their buses and leave their seats to provide such assistance, as needed. This obligation includes lifting the folding seats in the securement area.

If an individual who is unable to put his/her fare in the fare box or tap their fare media card requests the Bus Operator's assistance to do so, the Bus Operator will do it for the individual.



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feature and/or ramp, unless there are conditions at the stop not under the control of LACMTA that would prevent the safe use of the kneeling feature or ramp.

3.2.5.2 Securing Individuals using Wheelchairs and their Devices

Bus Operators will offer assistance with the use of the wheelchair securement system to individuals using wheelchairs, as specified in the Operator Rulebook or any subsequent notices.

Wheelchairs will be secured in the best way possible to prevent movement of the wheelchair under normal bus operating conditions. If the securement system on the bus is not capable of satisfactorily securing or restraining an individual's wheelchair, and the individual wishes to ride anyway, the wheelchair must be secured by the best means available. If the individual using a wheelchair refuses to have their wheelchair secured, or the wheelchair cannot be secured using the LACMTA equipment, LACMTA will transport the individual and the wheelchair, unsecured.

Wheelchairs may never ride LACMTA buses in places other than designated wheelchair securement areas.

3.2.5.3 Rear-Facing Wheelchair Securement

Many LACMTA buses provide a rear-facing wheelchair securement option for individual using wheelchairs. Rear-facing wheelchair securement will be offered to individuals using wheelchairs and is optional. Bus Operators will offer an anti-tip belt which helps prevent a wheelchair from tipping over. Individuals will be asked, but not required, to set their brakes or power off their wheelchairs in order to safely ride rear-facing. Lap and shoulder belts will not be used in conjunction with rear-facing wheelchair securement.

3.2.5.4 Lap and Shoulder Belts

If the individual chooses to have his or her wheelchair secured in the forward facing position, the Operator must offer the use of the lap and shoulder belts which may not be used if the wheelchair is not secured. The lap belt may be used without the shoulder belt, but the shoulder belt can only be used in conjunction with the lap belt.



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- Truncated domes
 - There shall also be a one inch (1") black line between the 5" yellow line along the platform edge and yellow truncated domes.

New stations will possess, and existing stations will be retrofitted with, tactile guidance; directing customers from the property line to the directional bars.

3.3.5 Maintenance of Accessibility Features

LACMTA must maintain accessibility features on trains; including means of access, signage, and public address systems in operative condition so that trains are readily accessible to, and usable by individuals with disabilities.

Damaged or inoperative accessibility features will be repaired promptly. When an accessible feature is inoperative, reasonable steps must be taken to accommodate individuals with disabilities who would otherwise use the feature. This may include, but is not limited to, arranging transportation with Access Services, dispatching a bus or hiring an accessible taxi.

LACMTA must maintain all rail stations and the accessibility features so an individual with a disability may have access to any station in the same manner as a person without a disability. This includes, but is not limited to: elevators and escalators, communication equipment, accessible pathways, such as ramps and platform floors, pathways within the station that travel to and from the station platform, signage, customer information systems, ticket vending and validation equipment, and fare gates.

3.4 ADA Paratransit Services

LACMTA will provide comparable, complementary paratransit services to individuals with disabilities in compliance with all applicable state and federal regulations, guidelines and requirements.

3.4.1 Access Services

Access Services provides ADA Paratransit Services to individuals with disabilities on behalf of LACMTA.

LACMTA will ensure that Access Services provides ADA Paratransit services that:



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individuals with disabilities the benefits of LACMTA's public transportation services; or otherwise subjecting individuals with disabilities to discrimination.

The CRPC shall review all facility construction projects for accessibility compliance.

3.6 Special Requirements for Communications

3.6.1 Communicating with Individuals with Disabilities

LACMTA makes information concerning its transportation services accessible to individuals with disabilities. This includes making adequate communications capacity available through accessible formats and technology, to enable users to obtain information and schedule service. Communications' responsibilities with respect to accessibility include, but are not limited to:

- Designing and developing signage including wayfinding, tactile and Braille signs accessible to individuals with visual and/or hearing impairments and/or other disabilities.
- Ensuring that LACMTA's website is accessible to individuals with visual impairments and other disabilities.
- Marketing LACMTA's services to individuals with disabilities.
- Ensuring that artwork in LACMTA facilities does not present barriers to accessibility.

Communications will comply with all applicable state and federal accessibility standards.

3.6.2 Vanpool Service

Customer Relations is also responsible for the vanpool services offered by the LACMTA, which must meet all applicable state and federal accessibility standards.

3.6.3 Complaint Procedures

Customer Relations will accept complaints about the accessibility of LACMTA's services in person, by telephone, in writing, or by email. They will process the complaints, which CRPC will monitor, in accordance with the *Customer Complaints* (Gen 42) policy.



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Qualified Individual with a Disability – A qualified individual with a disability is an individual with a physical or cognitive disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by LACMTA.

Vanpool – Means a voluntary commuter ridesharing arrangement, using vans with a seating capacity greater than 7 persons (including the driver) or buses, which provides transportation to a group of individuals traveling directly from their homes to the regular places of work within the same geographical areas, and in which the commuter/driver does not receive compensation beyond reimbursement for his or her costs of providing the service.

Wheelchair – Means a mobility device belonging to any class of three- or more wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered.

- o **Note:** scooters are included as wheelchairs.

5.0 REFERENCES

- Americans with Disabilities Act of 1990, Title II – Public Services, 42 USC §§ 12141-12165.
- Code of Federal Regulations, Title 49, Subtitle A, Part 37 – Transportation Services for Individuals with Disabilities (ADA)
- Code of Federal Regulations, Title 49, Subtitle A, Part 38 – Americans with Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles
- The Rehabilitation Act of 1973, 29 USC §§ 794, 794d
- Code of Federal Regulations, Title 49, Subtitle A, Part 27 – Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Funding
- Section 508 Standards
- ADA Accessibility Guidelines for Transportation Vehicles
- ADA Accessibility Guidelines for Buildings and Facilities
- California Civil Code sections 51, et seq.
- California Code of Regulations, Title 13, Division 2, Chapter 4, Article 15 – Wheelchair Lifts
- Code of Federal Regulations, Title 49, Subtitle B, Part 609 – Transportation for Elderly and Handicapped Persons
- California Building Standards Law, Cal. Health & Safety Code § 18901, et seq.

International Symbol of Accessibility



