

Board Policy No. 21 – Complementary ADA Paratransit Program

Summary

This policy sets forth the North County Transit District's (NCTD) programmatic approach and operations to support compliance with the Americans with Disabilities Act (ADA) of 1990, as amended.

Policy

ADA law requires public transit entities such as NCTD to provide complementary paratransit service, or equivalent public transportation, to individuals with disabilities who cannot board, ride, or navigate accessible fixed-route bus or train service because of their disabilities. Individuals whose disabilities prevent them from using an NCTD ramp-equipped bus or the accessible rail system may be eligible for the LIFT paratransit service.

Eligibility and Certification

The ADA and its implementing regulations define who is eligible for complementary paratransit service [49 CFR, Part 37.123 (e)(1)(2)(3)]. An individual is eligible to use LIFT if the customer has a disability and meets one of the following criteria:

1. The customer is unable to board, ride, or disembark from an accessible vehicle without the assistance of another person (except for the operator of a lift or other boarding device) as the result of a physical or mental impairment (including a vision impairment).
2. The customer is a person with a disability who needs the assistance of and can use accessible buses on routes that are not fully served by accessible buses, or when the bus stop is not accessible due to physical characteristics of the stop.
3. The customer has a specific impairment-related condition that prevents them from traveling to or from a boarding or disembarking location.

Eligibility is not based on age, economic condition, or inability to drive an automobile. Having a medical condition or a disability will not automatically qualify applicants for ADA paratransit eligibility.

NCTD does not discriminate on the basis of race, color, national origin, sex, sexual orientation, age, religion, ancestry, marital status, medical condition, or disability in the level and quality of transportation services and transit-related benefits, in accordance with 49 CFR §37.5(a), Title VI of the Civil Rights Act of 1964, California Civil Code §51 (Unruh Civil Rights Act), or California Government Code § 11135.

NCTD also does not discriminate on the basis of any other protected status under state or federal law in the level and quality of transportation services and transit-related benefits. The NCTD Board has adopted Board Policy No. 26, *Discrimination Complaint Procedures*, providing prompt and equitable resolution of complaints alleging discrimination based on a protected status.

The paratransit certification process may take up to 21 days. If a determination has not been made within 21 days, the applicant will be treated as eligible until a determination is made. To apply for paratransit eligibility, individuals should refer to NCTD's Rider's Guide or

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www.gonctd.com/accessibility/lift-eligibility/. Individuals who are found to be conditionally eligible or ineligible for LIFT service can appeal the decision within 60 days of the initial determination.

Customers determined to be eligible for NCTD's LIFT service are encouraged to take full advantage of NCTD's accessible fixed-route bus and rail service. Certified paratransit riders can apply for a Paratransit Photo ID Card, which allows free travel on BREEZE buses, SPRINTER trains, and COASTER trains. If a paratransit customer is certified for a personal care attendant (PCA), the PCA can also ride free on the BREEZE, SPRINTER, and COASTER.

Customers visiting from outside the NCTD service area who are eligible to use paratransit service in their respective area are allowed to use the NCTD LIFT service by contacting NCTD's eligibility certification contractor and providing proof of the certification. Once they have been approved, these customers may use LIFT up to 21 days out of a 365-day period. If the customer desires to use the service more than 21 days, they must become certified by NCTD's eligibility certification contractor.

Service Area and Trip Length

Certified customers may request LIFT trips during the same hours of the day and days of the week within a ¾-mile zone of BREEZE fixed-route bus and SPRINTER rail service. LIFT reservationists will advise customers of whether the origin or destination of a trip is within the ¾-mile zone and the service hour availability of requested trips. Pursuant to 49 CFR Part 37, NCTD's LIFT service functions as a "safety net" for persons whose disabilities prevent them from using the regular fixed route system and is not intended to meet all the transportation needs of all persons with disabilities, all of the time. The NCTD Board policy establishes the LIFT service area as the ¾-mile buffer zone around all BREEZE fixed routes and SPRINTER rail stations (excluding commuter bus/rail service, rail right-of-way, and FLEX zones). Any uncovered, small areas surrounded on all sides by the ¾ mile buffer zone and measuring less than ten square miles are included in the definition of NCTD Paratransit service area.

NCTD Board policy defines "excessively long" trips to be trips where the trip length is longer than the comparable fixed-route time, to include time it takes to walk to a bus stop, transfer(s), and walk to one's destination.

Fare

The cash fare for ADA paratransit per ride for ADA-certified passengers for one complete trip, origin to destination, regardless of any need to transfer between ADA transit operators or zones, shall be double the local fixed-route fare of the typical fixed-route service linking the origin and destination based on a determination by NCTD. Such determination must be made by calculating the regular fixed-route fare, including transfers for a trip of similar length, at a similar time of day, on the NCTD fixed-route system.

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Approvals



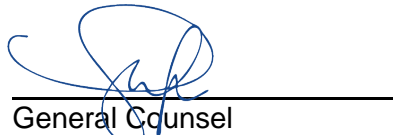
Board Chair

10/19/2023
Date



Executive Director

10/19/2023
Date



General Counsel

10/19/2023
Date

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DATE	REVISION No.	RESOLUTION No.	COMMENTS
10/18/2012	ADOPTED	12-10	
10/17/2013	1	13-07	2013 REVISION
10/16/2014	2	14-04	2014 REVISION
11/19/2015	3	15-08	2015 REVISION
10/20/2016	4	16-10	2016 REVISION
10/19/2017	5	17-10	2017 REVISION
10/18/2018	6	18-09	2018 REVISION
10/17/2019	7	19-06	2019 REVISION
10/21/2021	8	21-05	2021 REVISION
10/20/2022	9	22-17	2022 REVISION
10/19/2023	10	23-06	2023 REVISION