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**VVTA ADA-NEW REASONABLE MODIFICATION REQUIREMENTS**

Organization Affected:

VVTA Administration Operations Contractor

Effective Date: 7/1/15

Approved by: Kevin Kane, Executive Director

As Authorized by the  
Board of Directors on: 5/18/15

Attest: Debi Lorrah

**POLICY / PROCEDURE NO. 1.28.15**

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## **VVTA ADA – NEW REASONABLE MODIFICATION REQUIREMENTS**

The United States Department of Transportation issued a final rule on transportation for individuals with disabilities: reasonable modification of policies and practices. This policy is in addition to ADA policies that VVTA already has in place.

VVTA's fixed route, demand response and ADA complementary paratransit services will make reasonable modifications and/or accommodations to policies and practices to ensure program accessibility as follows:

- Must adjust where the bus stops to accommodate persons with disabilities with mobility devices. If a person with or in mobility device is not directly at the stop, the bus must stop before or pull past the bus stop to accommodate this passenger(s).
- When physically possible accommodation beyond curb-to-curb shall be offered by VVTA: VVTA shall make exceptions to its normal curb-to-curb policy where a passenger with a disability makes a request for assistance beyond curb-to-curb service that is needed to provide access to the service providing it does not result in a fundamental alteration or direct threat to the health or safety of others.
- VVTA must make information about the process, and how to use it, readily available to the public, including individuals with disabilities. VVTA must provide an accessible means by which individuals with disabilities can request a reasonable modification/accommodation. Whenever feasible, requests for modifications should be made in advance. The request from the individual with a disability should be as specific as possible and include information on why the requested modification is needed in order to allow the individual to use the transportation provider's services.

- VVTA must also provide for those situations in which an advance request and determination is not feasible. The Department of Transportation recognizes that these situations are likely to be more difficult to handle than advance requests, but responding to them is necessary. For example, a passenger who uses a wheelchair may be able to board a bus at a bus stop near his residence but may be unable to disembark due to a parked car or utility repair blocking the bus boarding and alighting area at the stop near his destination. In such a situation, the transit vehicle operator would have the front-line responsibility for deciding whether to grant the on-the-spot request, though it would be consistent with the rule for the operator to call his or her supervisor for guidance on how to proceed.
  
- VVTA chooses curb-to-curb as its primary means of providing service, however VVTA must provide assistance to those passengers who need assistance beyond the curb in order to use the service unless such assistance would result in a fundamental alteration or direct threat.
  
- Exceptions to the modification/accommodation are:
  - a) Cause a direct threat to the health or safety of others;
  - b) Result in fundamental alteration of the service;
  - c) Not actually necessary in order for the individual with a disability access to entity's service.
  - d) Result in an undue financial and administrative burden.