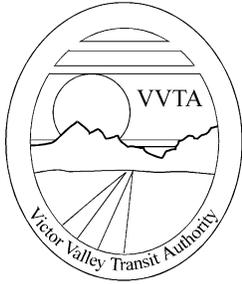


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**VVTA ADA ELIGIBILITY AND CERTIFICATION PROCEDURES**

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Organizations Affected:  
VVTA Administration  
Paratransit Service Contractor

Effective Date: June 1, 1998

Revised Date: March 15, 2004

Approved by: Kevin Kane, General Manager

As Authorized by the  
Board of Directors on: March 15, 2004

Attest: Nancie Goff, Clerk of the Board

**POLICY / PROCEDURE NO. 1.017.98**

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## **VVTA ADA ELIGIBILITY AND CERTIFICATION PROCEDURES**

### **A. General Eligibility:**

To receive VVTA Direct Access service, individuals must be certified "ADA paratransit eligible." The Americans with Disabilities Act of 1990 defines "ADA paratransit eligible" as:

1. Any person with a disability who can use accessible fixed route transportation, but accessible transportation is not being used at the time, and on the route the person would travel. This category includes those persons who use wheelchairs, walkers or braces and others whose disabilities prevent them from utilizing an inaccessible vehicle or facility.
2. Persons, who because of the nature of their disabilities, cannot navigate a transit system that is otherwise accessible. This category includes persons who cannot independently board, ride or disembark from an accessible fixed route. This is based on the assumption the individual will not and need not be able to operate a boarding system such as a wheelchair lift, ramp or securement device. The presence of a traveling companion does not affect this eligibility.
3. Persons with a specific impairment-related condition(s), which prevents them from getting to or from a boarding or disembarking location. This relates to an individual's particular functional disability. This eligibility requires functional evaluation of its application to a particular system and a particular trip. Examples of eligibility under this category include severe, chronic fatigue, a special sensitivity to temperature, and a lack of cognitive ability to remember to follow directions.

Generally the following four tests are applied when determining an applicant's eligibility:

1. Does the individual's disability prevent him/her from getting to and from a bus stop at point of origin or destination?
2. Can the individual board, utilize and disembark the vehicle at the bus stop?
3. Can the individual recognize the destination and disembark the bus?
4. If the passenger's trip requires transfers, are the paths of travel between routes accessible and navigable by the individual?

**B. Trip-By-Trip/Conditional Eligibility:**

While there are some passengers who are eligible to ride VVTA Direct Access for all their transportation needs, most passengers are certified for VVTA Direct Access service on a trip-by-trip basis. In other words, passengers who may normally be able to ride VVTA Regional Fixed-Route service may be eligible for certain trips on VVTA Direct Access. Examples include:

1. An impairment-related condition severely sensitive to cold or hot temperatures.
2. A person unable to maneuver a wheelchair through snow.
3. An individual with cognitive disabilities who must use a route other than the one he/she has learned or been trained to ride.
4. An individual who must travel an alternate route due to circumstances where this alternate route is inaccessible to persons with disabilities.
5. A person who has a variable condition, with paratransit need for a particular trip dependent on self-assessment or a set of medical standards. This person would meet the criteria for same day reservations.

**C. Eligibility for Visitors and Out-of-Area Residents:**

Visitors to the Victor Valley who have been certified by another transit provider are automatically presumed eligible for VVTA Direct Access service for up to 21 days whether the 21 days are consecutive or parceled out over several shorter visits. Should the visitor need VVTA Direct Access service beyond the 21-day period, he/she is required to become certified for the VVTA Direct Access service through the normal certification process.

The location of an applicant's residence is not a factor in determining eligibility. Persons living outside the service area can be certified for VVTA Direct Access service even though only trips with both an origin and destination inside the service area will be provided by VVTA Direct Access.

D. Application Process:

The applicant shall return the completed VVTA Direct Access Application for ADA Paratransit Service to the VVTA office. To be considered complete, all of the information requested on the Application for ADA Paratransit Service and the Release of Information Form included in the Application for ADA Paratransit Service must be provided and both must be signed by the applicant.

The VVTA staff will attempt to make a determination from the information included in the VVTA Direct Access Application for ADA Paratransit Service. Should the staff be unable to make a determination based upon the information provided, they may either request clarification from the applicant and/or request the applicant participate in an in person assessment/interview.

Staff will process the application within 21 days of receiving a complete application, meaning that all necessary actions by the applicant have been taken. Should the staff fail to make such a determination within the 21-day period, the applicant will be "presumed eligible" until such time as a determination is actually made.

If the application is approved, the applicant will be notified by mail he/she has been certified to use VVTA Direct Access for three years if he/she is permanently disabled or for a shorter, specified time if his/her disability is temporary. The certified passenger may begin using VVTA Direct Access immediately once he/she has received this notice.

At any time during a passenger's three-year certification, the VVTA Direct Access staff may require the certified passenger to submit a new VVTA Direct Access Application for ADA Paratransit Service if they have sufficient cause to believe the passenger's condition has changed making the person no longer "ADA paratransit eligible."

If an applicant is found ineligible for VVTA Direct Access service, the applicant may appeal by following the procedure established in the VVTA Policies and Procedures Section 1.018.98. Appeal Procedures. Reasonable accommodation will be made for all aspects of the ADA Eligibility and Certification Procedures, and the Appeal Procedures. Applicants denied VVTA Direct Access service may reapply for the service at any time they feel a change in their health condition or disability would

affect their eligibility or functional transit skills. All passenger information will be kept confidential by the VVTA staff unless the release is required by law or court order.

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