

Monroe County Transit Authority
ADA Paratransit Service Policies

January 1, 2009

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Definition of Terms

ADA Service: ADA stands for the Americans with Disabilities Act. The Act requires all public fixed route operations to provide fixed route bus deviation service $\frac{3}{4}$ of a mile from the fixed route to persons who meet the eligibility guidelines within the hours of operation of the fixed route service. Due to the topography and road network along our fixed route, this option is very limited.

Paratransit Service: The ADA Act requires all public fixed route operations to provide complementary paratransit service $\frac{3}{4}$ of a mile from the fixed route to persons who meet the eligibility guidelines within the hours of operation of the fixed route service. Complementary service means that if a fixed route bus is unable to accommodate the traveler, a special paratransit vehicle will be made available to complete the trip. Complementary describes a service that is provided by a different vehicle, it does not mean free service. All passengers are required to pay a fare that is set by MCTA but must not exceed twice the fare of the fixed route system.

Policy on Eligibility

Individuals must apply and have been determined eligible in order to receive ADA / Paratransit transportation services.

Per ADA guidelines, Paratransit service eligibility directly correlates to the inability of a disabled person to use the existing fixed-route transportation service for some or all trips. Eligibility is not simply a matter of whether or not a person has a disability, but instead relates to whether or not an individual can utilize the fixed route transportation system. Thus, ADA paratransit eligibility not based solely on a medical or psychiatric diagnosis, but rather it is a determination of a person's functional ability to use the regular transit system.

As part of the eligibility process first-time applicants may be asked to participate in physical functional assessment performed by a skilled professional therapist. The functional assessment is used to determine the capacity of a person with a disability to perform those skills and tasks necessary for fixed-route bus travel. The functional assessment performance report along with all available medical documentation and application information are reviewed by an MCTA Eligibility Specialist who will make the eligibility determination. Within twenty-one days of the completed record, the customer is notified by mail of their eligibility status.

Policy on ADA / Paratransit Certification

Trip requests will be scheduled for an individual who has a valid ADA eligibility number and expiration date; is an ADA eligible visitor from another region (for a minimum of 21 days without

requiring certification by MCTA); or has submitted a completed application, but has not received determination notification after 21 days of the application being deemed complete by MCTA. Service can be restricted by eligibility type (conditional eligibility) and other ADA-required regulations.

While MCTA will temporarily honor ADA certifications made by another transit system, it retains the right to require certification (or re-certification) of eligibility through the MCTA once 21 days of service have been provided to the visitor.

Recertification

In compliance with the Americans with Disabilities Act (ADA) of 1990, paratransit customers may be required to recertify their paratransit eligibility at regular intervals. Recertification attempts to insure that registered customers continue to meet eligibility criteria, and to determine if or how the customer's transportation needs have changed. Customers will receive written notification of recertification approximately forty-five days prior to the date their service is due to expire. MCTA may at any time review the eligibility status of a customer. In such cases, MCTA may require that additional or corroborating information be submitted by or on behalf of the customer and/or may require that a functional assessment be performed.

Each customer is responsible for informing MCTA of any change that may affect his/her eligibility status, to include: significant improvement or deterioration of mobility skills; the presence of a communicable or contagious disease; and the use of adaptive devices or mobility aids. Customers must also promptly inform MCTA of any changes to their residential address; home or work telephone numbers; and the name, address or phone number of their designated emergency contact person(s) and, if applicable, of persons designated to act on a customer's behalf. Recertification applications must be received at least ten days prior to the customer's service expiration date which appears on the photo identification card. Customers whose applications are not received at least ten days prior to the expiration date, may risk service disruption.

Policy on ADA / Paratransit Appeals

Individuals who have been notified in writing that eligibility for the MCTA ADA Program has been denied or conditioned may request an appeal and review of their eligibility determination. The completed appeal, including the Request for Appeal Form and any supporting documentation (optional) must be returned to MCTA postmarked no more than sixty (60) days from the date of the original determination. The completed Appeal Request is forwarded to the Review Committee no later than the next business day.

The Review Committee is a group of professionals and advocates whose function is to consider eligibility appeals and make a joint recommendation concerning eligibility. It is comprised of a representative from the Burnley Workshop, a locally run Sheltered Workshop which employs people with disabilities, the MCTA Chief Financial Officer (Joan Davidge), and a third rotating member with a specialty in the applicant's disability which could include:

An orientation and mobility specialist

A physical therapist
A mental health professional

The Review Committee, through a Release of Information Consent, will have access to the applicant's entire application for ADA paratransit eligibility. It is the job of the Review Committee to make a recommendation concerning eligibility and to outline their decision as it relates to the eligibility criteria. Their preliminary decision is made within 20 days of the receipt of the appeal.

If the applicant has been deemed anything less than fully eligible by the members of the Review Committee, the applicant is advised of the right to attend an in-person hearing. The applicant and any other persons of his/her choice may attend the meeting to state the case for paratransit eligibility. This is an opportunity to present the case in person. Hearings are scheduled at a mutually acceptable time for the individual requesting the Hearing and The Review Committee at the MCTA administrative offices. .

The applicant will be notified of the decision concerning paratransit eligibility no more than ten (10) days from the date of final appeal hearing. The notification of eligibility determination will be provided in writing and will include the specific reason for the decision.

Policy on Service Animals

Service animals and service animals in-training are allowed on all MCTA vehicles without being caged. MCTA will transport other authorized service animals provided they are properly constrained and do not pose a threat to other clients and the driver. Failure to control a service animal may result in the client of the animal being requested to exit the vehicle.

Note: For safety reasons, drivers are not allowed to carry cages or handle service animals.

Policy on Wheelchair and Scooter Requirements

The Monroe County Transportation Authority can safely accept most wheelchairs on its buses. Only those wheelchairs with a rider who exceeds the lift specifications or width of the narrowest part of the wheelchair pathway may be denied service. Most manual wheelchairs or popular motorized scooters are considered ADA compliant. Safe operation of a vehicle lift or ramp requires that the exterior dimensions of a mobility device and any attachments should not exceed these capacity constraints. MCTA reserves the right to not transport persons who use wheelchairs or similar mobility devices that exceed these dimensions or weight restrictions, particularly if such devices do not readily fit on a lift or ramp platform or within a designated area inside the vehicle. A home inspection of the customer's oversized mobility device may be conducted as indicated.

Wheelchairs and their users shall be secured at all times during boarding, disembarking, and transporting operations.

Clients using wheelchairs or scooters are required to be secured, using a four-point tie down system at all times while riding in the vehicle. Failure to cooperate with safety related policies may result

in loss of service. Mobility devices are strongly encouraged to back onto the wheelchair lift as prescribed by the manufacturer.

Policy on Caregiver Responsibility

Some clients are mentally or cognitively impaired or have severe memory problems such that they cannot be safely left on their own at either the pick-up point or the drop-off point. It is the responsibility of the client's caregivers or family to clearly identify these clients to MCTA so that we can inform the driver and take appropriate precautions.

However, the driver cannot act as an attendant for these clients. Cognitively impaired clients will be allowed to travel without an attendant only as long as they exhibit safe behavior in the vehicle. An attendant or caregiver must be present at the pick-up point and at the drop-off point for clients who cannot be left alone. If a responsible attendant or caregiver is not present when the driver attempts to pick-up or drop-off these clients, it can seriously disrupt the driver's schedule. When MCTA encounters absences of an attendant or caregiver, service to the client may be suspended and the matter may be reported to an appropriate state, county or local agency.

Policy on Personal Care Attendants

For the purpose of this policy a Personal Care Attendant (PCA) is defined as: Someone (employee, family member or friend) designated or employed specifically to assist a client with a sensory, degenerative, physical and/or developmental disability meet his or her personal needs. A Personal Care Attendant (PCA) is clearly meant to be someone whose services are required by the client. It is important to realize that the need for a PCA is not necessarily related to travel with ADA / Paratransit services. A PCA is often needed by individuals with sensory, degenerative, physical and/or developmental disabilities to assist with other activities of daily living, regarding physical challenges they must meet. Individuals may need a PCA for these activities but be fully capable of traveling on the transit vehicle with the assistance already provided by transit personnel. The need for PCA services can be intermittent or occasional and still be authorized. One PCA is authorized without fare; additional travelers are considered companions and must pay the appropriate companion fare.

Policy on Companions

A companion is a friend, relative, or other person who is traveling with you, but is not coming long primarily to help you. You must make a reservation for your companion when you make your own reservation. Companions pay the same fare as the client to travel. The number of companions may be limited based on vehicle capacity and other passengers with booked trips on the vehicle.

Policy on Transporting Bags / Packages

Each client is allowed up to three packages (plastic grocery or shopping bags). Clients should make other arrangements for bags / packages exceeding three parcels. Excessive luggage and large boxes cannot be accommodated. Clients may be required to secure their packages at their seats, as storage space on the vehicle is limited. The maximum combined weight of all packages cannot exceed 30

pounds. Drivers are only allowed to load a maximum of three bags onto the vehicle. They are not required to carry packages to / from the vehicle. We encourage clients to use a safe and efficient means of transporting bags / packages, such as a portable folding two-wheeled shopping cart.

Note: For safety reasons, clients may not transport more bags / packages than they can manage themselves.

Policy on Shared Rides

MCTA is a "shared-ride" service. This means that other riders with different destinations may be picked up and dropped off along the way. Your trip on public transit may take longer than if you took a taxi or drove yourself.

Policy on Service Area

Clients / qualified registrants are not entitled to service outside of the defined service area and/or the jurisdictional boundaries.

ADA / Paratransit service operates during the same days and hours as MCTA fixed-route bus service. The service area extends 3/4 of a mile beyond the fixed-route service. Points of origin and destinations not within the 3/4-mile corridor are ineligible for ADA / Paratransit service but may qualify for Shared Ride service.

A trip may require more than one-hour from origin to destination due to the size of MCTA's service area. However, we are committed to providing trips that are not excessive in length (time) and have adopted the standard that no trips will be more than twice the length (time) of comparable MCTA fixed-route service, including transfers and wait times.

Policy on Transfers

When transferring to or from shared-ride to fixed-route service: Transfer slips are neither issued nor accepted.

Policy on Scheduling

Please have the following information available when making a reservation

- * Client name.
- * The exact street address (origin and destination).
- * Names of complexes or subdivisions, as well as building, apartment, or suite numbers.
- * Easily identified pick-up points should be communicated, where applicable, such as a hospital, shopping mall, or doctor's office.
- * The appointment or the pick-up time. (Remember to indicate if the customer is traveling with a Personal Care Attendant (PCA), a companions or a service animal.
- * The return trip information.

ADA / Paratransit clients should expect the transit vehicle within 30 minutes of the negotiated “ready time” (15 minutes before and 15 minutes after the scheduled pick-up time) and must board the vehicle within 5 minutes of arrival. ADA / Paratransit clients can make a reservation for a trip from one to fourteen days in advance.

Trip “negotiations” are permissible under the ADA. Clients requesting a specific pick-up time, that is not available, will be offered a pick-up time nearest to the requested pick-up time within one hour before and one hour after the requested pick-up time. If the client refuses a trip provided within one hour before and one hour after the requested pick-up time, the declined trip will be considered a trip refusal. A client may still accept an alternate pick-up time that is more than one hour from the requested time. All passengers have the right to reject an alternative trip time. MCTA agents will call, when practical, in cases where the vehicle is delayed 15 minutes or more to inform you of the delay and estimate the time the bus will arrive after attempting to dispatch another vehicle. If a client gets a late trip and requires additional time, the client may call to request a later return trip and the trip will not be charged as a no-show.

Please remember that you are responsible for making arrangements for the vehicle to gain access to gated communities or secured complexes. A driver cannot be delayed trying to locate personnel to provide access to a complex.

MCTA clients may call at anytime to ask for an estimated time of arrival (ETA). To get specific information on when the scheduled vehicle is expected to arrive call (570) 839-8210. For added convenience, you may request to have access to our online Ecolane Self-Service tool. This tool will permit you to get up to the minute information about the arrival of your vehicle, cancel a trip and see future trips.

Policy on Advanced and Subscription Reservation Service

Reservations will be accepted as far in advance as fourteen days, but not later than 4:30 p.m. one day before the ride date.

Subscription Service is offered to MCTA customers who have travel patterns to and from the same destinations, during the same days and hours, at least one day per week. Individuals who have schedules that change frequently are not eligible for subscription service.

Subscription service is offered Monday through Saturday and is restricted to work, volunteer, medical and educational trips. When a person is approved for subscription service it is necessary for that person to contact the scheduler to confirm the desired days and times of travel. Once a subscription schedule is confirmed by MCTA, the client does not have to make any further reservation calls except to cancel any trip you do not plan to take.

Unfortunately, same day changes cannot be accommodated. Subscription service is offered as a convenience to our clients. Availability is based upon a first come / first serve basis. Subscription service is not required under ADA; therefore, certain restrictions may apply due to capacity constraints.

Note: Same day reservations cannot be accommodated. MCTA does not operate on Sundays or on nationally observed holidays.

Policy on Changing Your Reservation

Changes to reservations will be accepted not later than 4:30 p.m. one business day before the ride date. Requests for changes on the ride date cannot be accommodated. Please do not ask the driver to make changes to your trip, such as dropping you at a different address. Drivers are not authorized to make changes to the trips they are assigned.

Policy on Capacity Constraints

At the time the reservation is made, clients may be notified if excessive demand exists for their particular requested trip time, and an alternative may be negotiated.

Operational problems attributable to causes beyond the control of MCTA shall not be a basis for determining that a pattern or practice of capacity constraints exists. Examples include, but are not limited to, unanticipated delays caused by another client, weather, or traffic conditions affecting all vehicular traffic that were not anticipated at the time a trip was scheduled.

Policy on Cancellations, Lateness and No Shows

Clients must cancel unwanted trips at least two hours in advance. A documented pattern of untimely cancellation notice, no shows, or lateness for reasons within the client's control may result in service denial on a long-term basis. (See Policy on Suspension of Service below.)

Policy on Missed Trips

A missed trip is when MCTA fails to pick up a customer during the scheduled pickup time window – 30 minutes prior or after the stated pick up time from the IVR call from the prior day. Some scenarios include:

- The vehicle arrived late, after the 30 minute window;
- The vehicle arrived early, before the 30 minute window and rider was not ready to go and the vehicle was unable to wait;
- The vehicle never arrived;
- The driver did not follow the proper procedures to locate the rider;
- The vehicle went to the wrong location.

Missed trips are different than no-shows as it was MCTA error that caused the trip not to be completed. These trips must be recorded as unaccommodated (Denial in Ecolane), not as no-shows. Missed trips do not count as no-shows.

Policy on Service Quality

Schedules are designed to allow adequate time for clients to complete boarding or disembarking from the vehicle. MCTA personnel provide assistance necessary to board, disembark, or stow personal belongings and may include assistance to and from the door as needed (case by case basis).

Policy on Ambulatory Clients

Clients unable to use the steps to enter the vehicle may use the lift standing to board the vehicle. Ambulatory clients who use the wheelchair lift must be able to stand without assistance to hold onto the handrails.

Policy on Open Sores and Wounds

For the purpose of this policy, an open sore or wound includes but is not limited to: a health / medically related opening which creates leaking or discharge of bodily fluid (Dialysis pick-line, colostomy bag, vomiting, diarrhea, etc.) or injury that causes an external break in body tissue. Wounds include abrasions, incisions, lacerations, punctures and avulsions.

Wounds must be properly dressed and leakage / discharge must be controlled to prevent the threat of transmission of bio-hazards to transit personnel and other clients and prevent infection of the wound. Transit personnel may ask clients if leakage / discharge or dressings are properly controlled / applied.

In some cases, clients may be required to exit the vehicle to address bio-hazard concerns.

Note: MCTA personnel cannot be held responsible for dressing wounds and controlling bodily fluid leakage / discharge. This is the client's responsibility. Any client requiring assistance in properly dressing wounds and controlling bodily fluid leakage / discharge while on the vehicle will be strongly encouraged to travel with a PCA. Should dressing wounds and controlling bodily fluid leakage / discharge become necessary while on the vehicle, MCTA personnel will contact emergency medical services (911) to administer the required aide at the client's expense. Repeated incidents related to improperly dressed / undressed wounds and uncontrolled bodily fluid leakage / discharge disrupt or delay other MCTA clients and place them at risk of transmission of infectious agents and may result in the evaluation of the individual's suitability to use MCTA services.

Policy on Medication and Transporting Other Life-support Equipment

Clients may travel with respirators, portable oxygen, and some other life-support equipment, provided such transport does not violate laws or rules related to transportation of hazardous materials.

Clients using such equipment are strongly advised to use medical transportation and/or travel with a personal care attendant and may not be allowed to carry additional oxygen tanks if transported in an unsafe manner. Clients requiring medication or oxygen at regular intervals should be advised that

travel time on transit vehicles can be up to twice the length of comparable MCTA fixed-route service, including transfers and wait times. Rides are subject to delays that may result in a client's on-board time being longer than 60 minutes. Public transportation is subject to unpredictable conditions such as traffic delays and mechanical problems.

Note: MCTA personnel cannot be held responsible for the administration of medications. The administration of medication when in a MCTA vehicle is the client's responsibility. Any client requiring assistance in the administration of medication or oxygen while on the vehicle must travel with a PCA. Should the administration of medications or oxygen become necessary while on the vehicle, MCTA personnel will contact emergency medical services (911) to administer the required medication at the client's expense. Repeated incidents in which the administration of medication and/or oxygen disrupt or delay other MCTA clients may result in the evaluation of the individual's suitability to use MCTA services.

Policy on Accessible Origins and Destinations

Service to or from inaccessible origins or destinations will be provided at the nearest curb or location where safe access exists. In this instance a personal care attendant is strongly advised if additional assistance is needed.

In order for us to provide you with safe, on-time service you must specifically designate a location and inform us where you will be waiting for your pick-up.

MCTA has developed the following procedures to ensure safe vehicle movement and standardized connecting point guidelines:

Clients living in a large, multiple unit apartment complexes must meet the vehicle either at the curb closest to their unit address or at the curb closest to the main lobby or centralized building, unless instructed otherwise.

If the apartment complex is inaccessible to MCTA vehicles, the client must meet the vehicle at the main entrance to the complex. Before any MCTA vehicle can enter apartment complexes that are not easily accessible, the location must be inspected by a supervisor or senior transit personnel. If the facility has a guarded gate or limited access, the client should inform the security staff of the scheduled pick-up and return times. It is the client's responsibility to notify MCTA of security procedures or access codes when the reservation is made and to arrange access for the vehicle. MCTA vehicles cannot be delayed due to complicated access requirements.

A client traveling from a large office complex, medical facility, or other similar area must meet the vehicle at the curb closest to the main reception desk or main lobby entrance. MCTA is committed to arriving within its pick-up / ready window. If the client is not at the proper pick-up location within the designated pick-up / ready window and the five-minute grace period has expired, the vehicle will depart and the client will be declared a no-show. Out of courtesy for other clients who are scheduled on the same vehicle, the driver will wait no longer than a five-minute grace period. Clients must be ready to depart at any time during the pick-up / ready window described when reservations are made.

Please note that for your and other client's convenience the MCTA vehicles cannot wait while clients conduct business at their destination.

Policy on Access to Information about MCTA Services

This information will be made available in accessible formats as necessary to enable users to understand MCTA's services and policies. Applicable policies will be reviewed by reservation agents when reservations are made.

Policy on Lost & Found Articles

Lost and Found property is stored in a locked / restricted area to maintain accountability, safekeeping and security. Every reasonable effort is made to keep the property in the same condition in which it was recovered. Items may be mailed to the person on request, or returned in a manner deemed secure. Articles will be held for 10 days. To claim a lost article, please call (570) 839-8210. Clients are responsible for claiming lost articles.

Policy on Prohibiting Disruptive Behavior

Service will immediately be denied on a long-term basis to clients who engage in violent, seriously disruptive, or illegal behavior.

Such behavior includes, but is not limited to: threats or fear of physical or verbal abuse; unlawful harassment, including unwelcome verbal, nonverbal, or physical behavior having sexual or racial connotations; unauthorized use of equipment on the vehicle; voluntarily and repeatedly violating bus riding rules, including smoking on the bus, not wearing a seatbelt, standing while it is in motion, eating or drinking, or defacing equipment; refusing to comply with other requirements specified in the policies above; or providing false information in order to qualify for ADA certification.

The use of alcoholic beverages or riding under the influence of intoxicating drugs or alcohol is prohibited at all times.

Policy on Suspension of Service

Clients must not engage in activities which misuse the system, unnecessarily using capacity that could otherwise go to clients who need transportation, and increase MCTA's service costs. Examples of misuse include, but are not limited to, failing to show up for scheduled rides ("no shows"), failing to board the bus immediately upon arrival (lateness), and providing late cancellation notice.

A suspension will be imposed as described below for a documented pattern within any 30-day period of misuse of system capacity within the client's control. A documented pattern is based on a percentage 30% or more of trips untimely cancelled, no showed or late when there are 10 or more trips scheduled in a rolling 30 day period. A sudden personal emergency, sudden or worsening

illness, inability to reach MCTA's phone lines, or a late driver shall not be considered within the client's control.

Clients will be provided an opportunity to explain the reason for each occurrence in a call or letter initiated by MCTA. After the third incident (and if the client cannot be reached after three attempts via telephone or postcard), MCTA will issue a written warning notice that the next violation will result in a denial of service.

Prior to any suspension, a written warning of the proposed suspension period and the reason(s) for it will be provided to the client. Clients who appeal the proposed suspension may continue to ride pending a decision on the appeal. (See Policy on Appeals above.)

Suspension for Untimely Cancellation Notice, No Shows, and Lateness

First Suspension	7 days
Second Suspension	14 days
Third (and subsequent) Suspensions	30 days

Trip denials or suspension from service are appealed directly with MCTA. All appeals must be filed within fourteen (14) calendar days from the date of the service denial notification letter. Final decisions on appeals will be made by MCTA Management.

Written appeals must be directed to the following address:

Monroe County Transit Authority
Assistant Executive Director
PO Box 339
Scotrun, PA 18355

Policy on Nondiscrimination and ADA Notice

The Monroe County Transportation Authority (MCTA) does not discriminate on the basis of disability in access to its services, programs or activities. It is MCTA's policy to meet or exceed the requirements of the Americans with Disabilities Act of 1990 (ADA) to enable people with disabilities to have full and equal access to services.

To ensure that this goal is met, upon request, reasonable modification of policies will be provided to allow individuals with disabilities to participate in programs and services provided by MCTA.

MCTA will also ensure effective communication, including the provision of necessary auxiliary aids and services, so that people with disabilities can participate in the transportation services that link them to the community, opportunity and independence.

Policy on Suggestions, Comments & Complaints

MCTA seeks to provide its clients with safe, reliable, and customer-friendly service. We look forward to working with you to provide the best service possible. If you have a suggestion, comment or a complaint about our services, please call our Call Center Supervisor at (570) 839-8210 or write to:

Monroe County Transit Authority
Call Center Supervisor
PO Box 339
Scotrun, PA 18355

Specific details will help us thoroughly address your suggestions, comments or complaints in an expeditious fashion.

Please remember to include the following information when calling or writing to us.

- Name, address, and telephone number
- Location, Day and time of experience, if applicable
- Vehicle number and/or driver's name / description, if applicable
- Dispatch / reservation agent's name, if concerning a telephone conversation
- Explanation of incident, suggestion, or comment.

Complaints received by MCTA will be logged and numbered. They will be processed and forwarded to the appropriate authorities for investigation. If the supervisor or other support staff is not available, the call will go to voice mail and a response will be provided by the next business day. Complaints received by letter will be dated and answered in seven (7) working days. If the appropriate information is provided, the investigation will be completed within seven (7) working days (excluding Saturday, Sundays and holidays) and the client will be contacted by telephone and/or letter advising you of the finding of the complaint.

If the investigation cannot be completed within seven (7) working days, the client will be notified of the delay and advised when to expect a follow-up call to address their concern.

ADA / Paratransit complaints may be directed to MCTA at (570) 839-8210 or via e-mail at Tgoode@GOMCTA.com.

Policy on Reasonable Accommodation

MCTA seeks to respond to requests for reasonable modification to policies and practices. In order to identify a reasonable modification, the following process must be used:

1. Individuals are to call MCTA at 570 839 8210 and speak with the Call Center Supervisor or write to:

Monroe County Transit Authority

Assistant Executive Director
PO Box 339
Scotrun, PA 18355

2. Individuals requesting modifications shall describe what they need in order to use the service.
3. The Call Center Supervisor will, if unable to make a decision immediately regarding the applicability of the request, send the call to the department supervisor. In determining whether to grant a requested modification, public entities shall be guided by the provisions of Appendix E.
4. Individuals requesting modifications are not required to use the term “reasonable modification” when making a request.
5. Whenever feasible, requests for modifications shall be made and determined in advance, before the transportation provider is expected to provide the modified service, for example, during the paratransit eligibility process, through customer service inquiries, or through the entity's complaint process.
6. Where a request for modification cannot practicably be made and determined in advance (*e.g.*, because of a condition or barrier at the destination of a paratransit or fixed route trip of which the individual with a disability was unaware until arriving), operating personnel of the entity shall make a determination of whether the modification should be provided at the time of the request. Operating personnel may consult with the entity's management before making a determination to grant or deny the request.

Requests for modification of a public entity's policies and practices may be denied only on one or more of the following grounds:

1. Granting the request would fundamentally alter the nature of the entity's services, programs, or activities;
2. Granting the request would create a direct threat to the health or safety of others;
3. Without the requested modification, the individual with a disability is able to fully use the entity's services, programs, or activities for their intended purpose.