



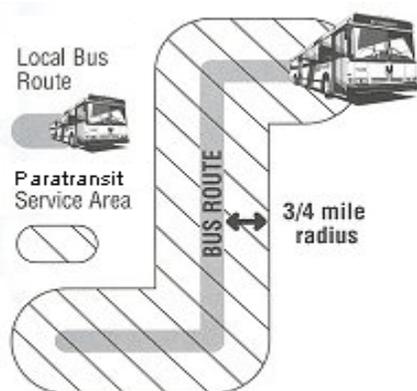
The ADA and Paratransit

What is the Americans with Disabilities Act (ADA)?

The ADA is a federal civil rights act that provides protections to people with disabilities. It guarantees equal opportunity for individuals with disabilities in public places, employment, public transportation, state and local government services, and telecommunication.

What is Paratransit?

Paratransit is public transportation for people who cannot ride the bus, train, or other publicly available modes of transportation because of their disability. If your city or town does not have a public transit system, there is no obligation to provide ANY paratransit services.



Paratransit “shadows” the fixed route system. Paratransit vehicles are only required to pick people up and drop them off within 3/4 of a mile from existing public transportation routes.

The graphic shows a 3/4 mile zone on either side of the bus route. Paratransit will only pick up and drop off people within the striped zone.

Paratransit services are provided from “curb-to-curb” or “door-to-door.”

“Curb-to-Curb” Service

The paratransit provider picks you up from the curb outside of your house. You are then dropped off at the curb in front of your destination. This is one of the traditional types of paratransit service.

COPYRIGHT 2015 by Disability Rights NC. All rights reserved. This document contains general information for educational purposes and should not be construed as legal advice. It is not intended to be a comprehensive statement of the law and may not reflect recent legal developments. If you have specific questions concerning any matter contained in this document or need legal advice, we encourage you to consult with an attorney.

“Door-to-Door” Service

The paratransit provider picks you up at your door step. You are then dropped off at the door of your destination. In some transit systems, this service is only provided if the curb-to-curb service is not accessible for you. The paratransit provider does not have to assist you in exiting your home.

Who is eligible for paratransit?



People who cannot board, ride, or disembark from public transportation by themselves because of their disability.

Example: You have an intellectual disability and do not know where to get off the bus or how to get to your destination by yourself.



People who can ride public transportation independently but an accessible vehicle is not available at the needed time on a particular route.

Example: The accessible bus you normally ride is in the shop for maintenance.



People who cannot board or exit public transportation at a specific stop.

Example: You use a wheelchair but the nearest bus stop is separated from you by stairs. You are eligible for paratransit because you cannot reach the bus stop.

Reminder: Even if you are eligible for paratransit, you do not have to ride paratransit for all trips.

What are your rights when riding paratransit?



1. Never pay more than double the cost of riding public transit when riding paratransit.

Example: If riding the bus costs \$1, you cannot be charged more than \$2 to ride paratransit.

2. To ride paratransit during the same days and hours that public transportation is available.

This does not mean that paratransit must run at the exact same times and with the same frequency as the fixed route. If there is limited service on the bus or train during certain times of the day, paratransit service may be limited during those times as well.



Example: Buses run from 9 a.m. to 5 p.m. Paratransit vehicles must run during the same hours.

3. To be picked up within one hour before or after your desired pickup time.

The paratransit provider is allowed to negotiate a pickup time with you as long as the time is within one hour of your requested time. You also have the right to schedule trip within 24 hours of wanting to go somewhere.

Example: It is 9 a.m. on Monday. You would like to go to the grocery store at 5 p.m. this evening. The paratransit provider can offer to pick you up between 4 p.m. and 6 p.m.—one hour before and after your desired pick-up time of 5 p.m.

4. To take trips for any purpose.

Example: You would like to go to a restaurant. The paratransit provider cannot make your trip a lower priority or refuse to transport you because someone else would like to go to the grocery store. Similarly, the paratransit service cannot refuse to transport you or make your trip a low priority because they dislike the particular business.



5. Not to be placed on a waitlist for service, have restrictions on the number of trips you can take, or experience other limitations on service.

Example: You sign up for paratransit and you are told you will not be eligible to begin taking trips for 6 months. This is a violation of your rights.

Example: You are told that you can only take 1 trip per week. This is a violation of your rights.

Example: You scheduled a trip and the van never showed up or the van is frequently more than 30 minutes late to pick you up. This is a violation of your rights.

6. To have your personal care attendant ride with you at no extra charge.

Example: You and your aide are traveling to the grocery store. It costs \$2 per person to ride paratransit. You cannot be charged more than \$2 for you AND your aide to ride to the grocery store.

Exception: Your aide cannot ride for free unless she/he is needed to assist you. If it is your aide's day off or if the aide only assists you in your home, they cannot ride for free just because they are with you.



7. To ride with your service animal.

The driver is allowed to ask if the dog is a service animal and what tasks or skills the dog is trained to perform on your behalf.

What are your responsibilities when riding paratransit?

Riders must not engage in violent, seriously disruptive, or illegal behavior while riding paratransit and riders must also show up for scheduled trips. You may be suspended from riding paratransit if you do not fulfill your responsibilities.

What is violent, seriously disruptive, or illegal behavior?

There is no definition for what is violent or seriously disruptive behavior. It is what would be considered violent or seriously disruptive to the average person. Involuntary behavior that you cannot control and which is the result of a disability that offends, annoys or inconveniences others is not grounds for suspension. Illegal behavior is behavior that breaks the law.

Example: Threats of violence against another passenger would likely be considered violent and seriously disruptive behavior for which you could be suspended from riding paratransit.

Example: Use of illegal drugs on paratransit would be illegal behavior that could result in your suspension from paratransit.

Example: If you have Tourette's syndrome and it causes you to curse, you cannot be suspended from paratransit for cursing.

What is a "no-show"?

"No-shows" are persons who regularly fail to show up for their scheduled paratransit rides. You risk suspension from paratransit if you have a pattern or practice of missing your scheduled trips. You are not a "no-show" if something out of your control prevents you from making your trip. If you know in advance that you cannot make your trip, you can cancel it. Typically, cancelled trips are not counted against you as a "no-show" if you give two hours' notice of the cancellation.

Example: If you decide you do not want to take your trip anymore and do not call the paratransit service to cancel your trip, you are a "no-show."

Example: You missed your trip because you had a medical emergency and went to the hospital. You are not a “no-show.”

What if I have additional questions about my rights or want to file a complaint against a paratransit provider?

You may contact the Federal Transit Authority’s Office of Civil Rights at 1-888-446-4511 or by e-mail at FTA.ADAAssistance@dot.gov. You may also contact Disability Rights NC at (877) 235-4210.

Disability Rights North Carolina is a 501(c)(3) nonprofit organization headquartered in Raleigh. It is a federally mandated protection and advocacy system with funding from the U.S. Department of Health and Human Services, the U.S. Department of Education, and the Social Security Administration.

Its team of attorneys, advocates, paralegals and support staff provide advocacy and legal services at no charge for people with disabilities across North Carolina to protect them from discrimination on the basis of their disability. All people with disabilities living in North Carolina are eligible to receive assistance from Disability Rights NC.

Contact us for assistance or to request this information in an alternate format.

Disability Rights North Carolina
3724 National Drive, Suite 100
Raleigh, North Carolina 27612
www.disabilityrightsncc.org

919-856-2195
877-235-4210 (toll free)
888-268-5535 (TTY)
919-856-2244 (fax)