



# Sun Shuttle ADA Dial-a-Ride Policies

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## Sun Shuttle ADA Dial-a-Ride Policies

### RESERVATIONS

#### Description of Dial-a-Ride Services

Sun Shuttle provides regional ADA paratransit service provided by contract with Total Transit and the Town of Oro Valley, and general public dial-a-ride service in Oro Valley and Green Valley/Sahuarita. For details about the various service area boundaries, see the maps included below.

*Sun Shuttle Dial-a-Ride* – Available to Americans with Disabilities Act (ADA) certified clients  
Service provided by **Total Transit/Discount Cab**

- Call (520) 792-9222 to schedule a ride.
- Trip cancellations must be made by 4 p.m. the day before a scheduled trip.
- [Sun Shuttle ADA dial-a-ride service area map \(from current brochure\)](#)
- Reference service brochures for service hours and reservation hours here:

LINKS:

[Sun Shuttle GV General Public](#)  
[Sun Shuttle ADA DAR](#)  
[Oro Valley DAR](#)

*Green Valley/Sahuarita* – Available to the General Public

Service provided by contractor Total Transit

- Call (520) 792-9222 to schedule a ride.
- Trip cancellations must be made by 6 p.m. the day prior to a scheduled trip.
- [General Public dial-a-ride service area map](#)

*Oro Valley Dial-a-Ride* – Available to seniors, persons with disabilities, and the general public  
Service provided by the Town of Oro Valley

- Service areas vary for seniors, persons with disabilities, and the general public.
- Call (520) 229-4990 to schedule a ride.
- Trip cancellations must be made by 4 p.m. the day prior to a scheduled trip.
- Visit Oro Valley Dial-a-Ride Policies for additional details.
- [Oro Valley Sun Shuttle dial-a-ride map of service areas](#)

#### Time Between Scheduled Trips

*Minimum thirty (30) minutes between scheduled trips*

Customers must schedule a minimum of thirty (30) minutes between the end of one trip and the beginning of another trip. [A trip is defined as origin to destination.] Customers cannot make intermediate stops between their origin and destination.

#### Trips in Progress

*No redirection of a trip in progress*

Drivers are required to complete the trip to the assigned destination with no deviations from the assignment. Customers can assist drivers to locate destinations but an entirely new destination cannot be accommodated.

## Maximum Ride Time

*2 hour maximum ride time for Optional ADA and Senior customers*

*90 minute maximum ride time for General Public Dial-a-Ride customers*

*Maximum ride time for complementary ADA customers should be comparable to a fixed route trip, plus 10%*

Travel times need to be estimated correctly to set pickup times in a way that ensures on-time performance. A substantial number of trips with excessive lengths is a prohibited ADA capacity constraint.

## ADA Service Trips without Denial Policy

Sun Shuttle Dial-a-Ride will accommodate customers on an advance reservation basis.

*No denials are permitted for Sun Shuttle ADA Dial-a-Ride services.*

## Subscription Service Policy (Standing Trips)

Customers may request subscription trips (standing trips). If the customer no longer needs the subscription trips, the customer should notify Sun Shuttle Dial-a-Ride.

Subscription trip reservations can be set-up for a maximum of one year. Subscription trips must be renewed annually by December 31. While efforts will be made to contact customers and remind them to renew subscription service, it is ultimately the customer's responsibility to ensure subscription trips continue beyond December 31.

## Fare Policy

The RTA Board sets fare rates for the Sun Shuttle system based on recommendations from the RTA Transit Working Group (TWG). Historically, the TWG and RTA Board have favored aligning Sun Shuttle fare rates with rates adopted by Sun Tran and Sun Van in order to create a more regional and seamless transit system. Sun Tran and Sun Van fare rates are determined by City of Tucson City Council. Under no circumstance will

ADA paratransit service fares exceed twice that of regular fares.

## Visitor Policy

Sun Shuttle Dial-a-Ride follows ADA requirements regarding visitors requesting to use our services. A visitor providing certification from another public entity as ADA paratransit eligible may ride Sun Shuttle Dial-a-Ride for 21 days. If a visitor cannot provide ADA paratransit eligibility, they will be deemed to have presumptive eligibility for 21 days. After 21 days, visitors may be required to have their eligibility determined through the City of Tucson ADA Paratransit Eligibility Office. Visitors are encouraged to contact the City of Tucson's ADA Paratransit Eligibility Office (520) 791-5409 upon arrival in the area if services will be needed.

## Capacity Constraints Policy

Sun Shuttle Dial-a-Ride operates under a policy of no denials. If a General Public Dial-a-Ride vehicle has reached capacity and additional customers need service, an additional vehicle will be dispatched to provide that service.



## DEFINITION OF SERVICES

### Origin-to Destination Service

Sun Shuttle ADA Dial-a-Ride provides "Origin-to-Destination" services unless the customer specifies that they need assistance while booking their reservation.

The service goes from the user's point of origin to his or her destination point. It is reasonable to think that service for some individuals or locations might be better if it is door-to-door, while curb-to-curb might be better in other instances. This is exactly the

sort of detailed operational decision best left to the development of paratransit plans at the local level. (56 FR 45604; September 6, 1991; emphasis added.)

In the local paratransit planning process, it would be consistent with this provision for a transit provider to establish either door-to-door or curb-to-curb service as the basic mode of paratransit service. Where the local planning process establishes curb-to-curb service as the basic paratransit service mode, however, provision should still be made to ensure that the service available to each passenger actually gets the passenger from his or her point of origin to his or her destination point. To meet this origin to destination requirement, service may need to be provided to some individuals, or at some locations, in a way that goes beyond curb-to-curb service.

Because arranging for assistance beyond the curb may require additional time on the transit provider's part, we believe that it would be reasonable for the transit provider to ask for advance notice from the passenger of a need for this assistance. This would give the provider the opportunity to evaluate how to meet the need, as well as potential obstacles to providing it. In the case of a passenger who sought this assistance on a regular basis, this notice could be provided as part of the application process for paratransit eligibility or at the time that a change in circumstances made regular provision of assistance necessary. In the case of a passenger who sought this assistance on an occasional basis, we think that asking for advance notice at the time of reservation for the trip would be reasonable and consistent with the next-day service requirement of the rule. If a passenger did not provide this notice, the transit provider would still need to make its best efforts to provide the needed assistance.

It should be emphasized that the regulation does not require a general change in a provider's basic mode of service from curb-to-curb service to door-to-door service. It should also be emphasized that transit providers are

not required to take actions to accommodate individual passengers' needs that would fundamentally alter the nature of the service or create undue burdens.

For example, the Department does not view transit providers' obligations as extending to the provision of personal services. Drivers would not have to provide services that exceed "door-to-door" service (e.g., go beyond the doorway into a building to assist a passenger). Nor would drivers, for lengthy periods of time, have to leave their vehicles unattended or lose the ability to keep their vehicles under visual observation, or take actions that would be clearly unsafe (e.g., back a vehicle down a narrow alley in specific circumstances that would present a direct threat to safety). These activities would come under the heading of "fundamental alteration" or "undue burden."

Under the ADA rule, it is not appropriate for a paratransit provider to establish an inflexible policy that refuses to provide service to eligible passengers beyond the curb in all circumstances. ***On an individual, case-by-case basis, paratransit providers are obliged to provide an enhancement to service when it is needed and appropriate to meet the origin-to-destination service requirement.*** We recognize that making individual, case-by-judgments may require additional effort, but this effort is necessary to ensure that the origin-to-destination requirement is met.

### **Door-to-Door Service**

*Notifying customers of driver arrival, and assistance as needed to help customers to and from the door of their origin and destination, and into and out of the vehicle.*

Drivers are trained to ask the customer whether or not they need door-to-door service. A notice requesting this service can be given at the time of the reservation over the phone.

***Door-to-Door*** – Upon arrival at the pick-up location, drivers will exit the vehicle and attempt to locate the customer. Drivers will knock on doors to announce their presence. Customers

are to be provided assistance from their place of origin to the vehicle and from the vehicle to the door of their destination. Assistance includes helping clients with bags, assisting with stairs or other obstacles, assistance with walking balance or wheelchair locomotion, and assistance getting into or out of the vehicle. Customers can decline assistance if they wish.

### **Hand-to-Hand service**

*Hand to Hand* – Caregiver at origin acknowledges driver and transfers customer to driver for transport. The driver must take the customer to destination and transfer customer to a caregiver at the destination.

Hand-to-Hand service must be requested in advance at the time of the reservation. This service is offered to customers with a disability that requires that they be accompanied by a caregiver or driver at all times. \*Customers should seek in advance the assistance of their own Personal Care Attendant during travel, if possible.

*Hand-to-Hand* – Customers identified as hand-to-hand receive the same treatment as door-to-door customers, but with one important addition. At the destination, hand-to-hand customers will not be left alone but will be transferred to the care of a designated caregiver. In the case that the caregiver cannot be located, clients will be transported to a safe location until a caregiver can be located.

### **Will Call Service**

*Will Call Standard* – On-time within two (2) hours

Will Call Return Trips are intended to provide flexibility to customers if they are unsure of an exact pick-up time for their return trip. When reserving trips, customers should provide a general time they expect to call for a return trip. Will call pick-ups are considered on-time within a two-hour window.

Passengers may request no more than one Will Call for each scheduled one-way trip.

### **Same Day Service**

*Same-day service is subject to availability – On-time within two (2) hours*

Same-day service is defined as a trip that is requested to be performed on the same calendar day that the trip was requested. Sun Shuttle Dial-a-Ride will make reasonable efforts to accommodate same-day service requests. However, all same-day service is based on availability and service is not guaranteed. Same day service is considered on-time within a two-hour pick-up window.



## **PICK-UP POLICIES**

### **Pick-Up/Drop-Off Times**

Since traffic conditions may prohibit Sun Shuttle Dial-a-Ride from meeting precise pick-up times, trips will be scheduled to include a thirty (30) minute time frame "Pick-Up Window" to accommodate unexpected or minor interruptions in the schedule.

### **Pick-Up Window**

Sun Shuttle Dial-a-Ride trips are considered on-time within a thirty (30) minute pick-up window. This window is 15 minutes before and 15 minutes after a client's requested pick-up time.

Once a driver arrives within the pick-up window, will attempt to contact the customer. If the driver cannot contact the customer, the driver will wait five (5) minutes before departing. If a driver arrives at the pick-up location early, they will wait until the pick-up window begins before the five (5) minute grace period begins.

If a client does not board the vehicle during this period during the pick-up window, the driver can leave and the client will be considered a

no show. Please see the policy on no shows ([hyperlink](#)) for more details.

Upon arrival, drivers will attempt to contact clients that their ride has arrived. Clients need to be ready to depart within the pick-up window.

### **Designated Pick-Up Location**

To provide safe and on-time service, the customer must designate a location where he/she will be waiting.

#### ***Apartments/Office Complexes***

A customer who lives in a large, multiple unit apartment complex must meet the vehicle at the curb closest to his/her address (unless assistance is needed). If the apartment complex is inaccessible, the customer must meet the vehicle at the main entrance to the complex. If the facility has a guarded gate or limited access, the customer should inform the security staff of the scheduled pick-up and return times. It is the customer's responsibility to notify the dispatcher of security procedures when the reservation is made and to arrange quick access for the vehicle.

A customer 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 lobby entrance.

#### ***Nursing Homes/Adult Day Centers***

Customers traveling to/from a nursing home or adult day center should meet the vehicle at the curb closest to the main lobby, unless instructed otherwise.

### **Vehicles Arriving Early**

Sun Shuttle Dial-a-Ride vehicles should arrive during the customer's 30 minute pick-up window quoted by the dispatcher when the trip was confirmed. Unless the vehicle arrives before the 30 minute pick-up window, customers must board the vehicle when it arrives. If the vehicle arrives earlier than the pick-up window, the driver must wait with the vehicle until five (5) minutes beyond the beginning of the pick-up window.



## **NO-SHOW POLICIES**

### **Driver No Waiting Policy**

Please note that drivers cannot wait while a client conducts business at his/her destination. The client must always schedule a return trip reservation, with the option of will-call available if an exact time is not known at the time of the reservation. Customers must be ready to depart at any time during the thirty (30) minute pick-up window described when the reservation was made. If a customer has not boarded the vehicle within the five (5) minute grace period, the vehicle will depart, the trip will be canceled and recorded as a "No-Show." It is the customer's responsibility to be prepared to board when the vehicle arrives.

### **Failure to Show Up For a Scheduled Trip**

Customers failing to notify us that they will not be using a scheduled trip causes the vehicle to be dispatched unnecessarily to their location. For Sun Shuttle Dial-a-Ride to provide on-time performance, the number of late cancellations and No-Shows must be kept to a minimum.

### **No Show Policy**

*A No Show exists when the customer (or customer's representative) has:*

- Scheduled Sun Shuttle dial-a-ride service, AND
- The Sun Shuttle vehicle has arrived at the scheduled pick-up point within the specified 30-minute pickup window, AND
- The driver has waited at least five (5) full minutes beyond the beginning of the 30-minute pickup window, but the customer failed to board the vehicle, AND

- The driver (while sitting in the driver's seat) cannot reasonably see the customer approaching the vehicle.

OR

There has been no call by the customer or their representative to cancel the scheduled trip two or more hours prior to the start of the scheduled pick-up time, or the customer calls to cancel, but it is not two or more hours prior to the scheduled pick-up time.

### **No Show Penalties**

Calculations for penalties begin effective after the customer's 20th trip.

Sun Shuttle Dial-a-Ride maintains a record of each trip a customer has requested, scheduled, taken, cancelled and/or "no showed." When a *No Show* occurs, the percentage of *No Shows* for that customer's scheduled trips for the preceding six (6) months is calculated. This will be calculated as follows:

$$\frac{(\text{No Shows} / (\text{Scheduled Trips} - \text{Cancelled Trips})) \times 100 = \% \text{ of No-Shows.}}$$

All penalties imposed under this policy are first subject to the appeals process listed below. Penalties for *No Shows* based on a percentage of rides scheduled are:

1. **3% - verbal contact, copy of policy mailed**
2. **5% - five (5) consecutive days suspension**

For each successive *No Show*, the percentage will again be calculated. If the percentage is greater than or equal to 5%, each successive *No Show* (within six months of the last suspension and/or after the customer has completed a minimum of 20 trips) will be given a suspension as follows:

1. **2nd Occurrence: fifteen (15) consecutive days suspension**
2. **3rd Occurrence: thirty (30) consecutive days suspension**

Sun Shuttle Dial-a-Ride will use a rolling six-month time period for the Scheduled Trips, Cancelled Trips and *No Show* categories. Any

trips and *No Shows* older than 182 days or that resulted in a suspension will not be used in the *No Show* percentage calculation.

### **"No Strand" Policy**

If the Sun Shuttle Dial-a-Ride takes a customer to a destination, the customer won't be left stranded there, even if he/she no shows for the scheduled return ride. Return service will be set up similar to a "will-call" and provided as soon as possible, but without a guaranteed on-time window.

It is Sun Shuttle Dial-a-Ride policy that if a customer is taken to a destination, every possible effort will be made not to strand the customer, even if he/she no shows. If a customer is a no show for a trip originating at his/her home, no vehicle will be sent back for that ride. If a customer is a no show for a ride originating somewhere other than at home and Sun Shuttle Dial-a-Ride took him/her to the location, an agent will schedule a return ride upon request, and as the schedule permits, but will not guarantee a return time. The exception to this policy is that if a customer is a no-show and Sun Shuttle Dial-a-Ride did not take the customer to his/her present location, in which case Sun Shuttle Dial-a-Ride will not return.



## **CUSTOMER AND DRIVER RESPONSIBILITIES**

### **Customer's Responsibilities**

The following rules of conduct are provided to ensure the safety and comfort of all Sun Shuttle Dial-a-Ride customers:

#### **Customer Rules of Conduct:**

- Sun Shuttle Dial-a-Ride is public transportation service and a fare is required when the customer boards the vehicle.
- Each customer must adhere to the rules of conduct. Actions of misconduct, including violent, seriously disruptive behavior, or illegal behavior, will be grounds for suspension of service.
- A customer requiring physical assistance outside the vehicle (e.g., to or from his/her door or assistance up stairways or difficult grades) is encouraged to notify the dispatcher when making their reservation and/or notify the driver.
- Administering medication is the customer's responsibility. Sun Shuttle Dial-a-Ride is not responsible for, nor can schedules be adjusted to accommodate, the administration of medications once the vehicle is en route.
- A customer requiring assistance in the administration of medications or oxygen while on the vehicle must travel with a Personal Care Attendant. Should the administration of medications or oxygen become necessary while on the vehicle,
- The use of alcoholic beverages or riding under the influence of intoxicating drugs or alcohol is prohibited at all times.
- Customers may not operate or tamper with any equipment while on the vehicle. This rule includes operation of the hydraulic lift and attempts to remove wheelchair tie-downs and customer seatbelts.

### Driver's Responsibilities

Drivers are expected to obey the same rules as customers.

Driver's Rules of Conduct:

- Drivers cannot leave their vehicles unattended for lengthy periods of time.
- Drivers can provide assistance to and from their door. However, customers are encouraged to request this with the dispatcher at the time the reservation is made.

Drivers will be trained to offer door-to-door assistance to and from their vehicle but are not allowed to enter a customer's residence.

- Drivers may provide limited assistance loading/unloading packages for customers. (SEE Transporting Packages and Animals)
- Drivers are responsible for the operation of the hydraulic lift and for securing mobility devices safely in the vehicle.
- Drivers may not accept tips or gratuities or act in any manner that would suggest that tipping is appropriate.



## CUSTOMER CONDUCT

### Customer Conduct with Dispatchers

While Sun Shuttle Dial-a-Ride dispatchers will make every effort to assist customers in an efficient and friendly manner, the following customer conduct will be considered disruptive.

- 1) *Customers who use abusive language, specifically swearing, personal insults, or other profanity, will be given a warning that they need to discontinue, and that if they continue being abusive, the dispatcher will end the call. If the abusive behavior persists, dispatchers will request the customer call back once they can maintain a dialogue without using abusive language. Elevated voice volume or complaints about the service will not be considered abusive language.*

Any threats of violence to the dispatcher will be taken seriously. Threats of violence may result in service suspension and authorities will be contacted regarding the incident.

- 2) *Customers who refuse to provide the basic*

level of information necessary to perform a trip will be informed that their trip cannot be accommodated. This will not be considered a denial of service, and the trip will be executed once the customer has provided the necessary information.

## Customer Conduct on Vehicles

When riding Sun Shuttle Dial-a-Ride, customer conduct will not be accepted nor allowed that is violent, seriously disruptive, or illegal.

Sun Shuttle may refuse service to an individual with a disability who engages in violent, seriously disruptive, or illegal conduct, using the same standards for exclusion that would apply to any other person who acted in such an inappropriate way.

Sun Shuttle will not refuse to provide service to an individual with disabilities solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of the entity or other persons.<sup>1</sup>

Pursuant to all incidents involving violent, seriously disruptive, or illegal conduct, the driver will complete an incident report detailing the situation and forward it to his or her assigned Operations Supervisor upon returning to the office.

If a Sun Shuttle customer engages in violent, seriously disruptive, or illegal conduct, the offending customer will:

- 1) *Immediately be asked by the driver to stop or correct the disruptive behavior. If the customer continues to engage in a violent, seriously disruptive, or illegal behavior, police assistance will be sought as necessary; and*
- 2) *Be issued a letter detailing the incident. The letter will also outline the subsequent "refusal to provide service" to the offending customer and will include the reason for such determination. A copy of the letter will also be sent to an offender's guardian or caretaker.*
- 3) *A copy of the Suspension Letter will be sent to*

the City of Tucson's ADA Paratransit Eligibility Office so that an appeal hearing can be scheduled.



## ACCOMPANYING CUSTOMERS ON-BOARD

### Mobility Devices

Sun Shuttle Dial-a-Ride will transport all wheelchair types as defined by ADA regulations. Sun Shuttle Dial-a-Ride may refuse to board customers traveling in mobility devices that do not conform to the regulated dimensions and weight. For the customer's safety and comfort, the following ADA requirements must be met:

#### *Wheelchairs:*

The FTA no longer uses the definition of "common wheelchair" (e.g. 30 inches by 48 inches and 600 pounds). If the customer's mobility device is 750 pounds (user's weight inclusive), and the provider's lift is rated at 800 pounds; the provider is still required to take the passenger. This also applies to wheelchair length and width dimensions.

- The wheelchair regulation dimension minimums are 30 inches in width and 48 inches in length when measured two inches above the ground.
- For safety purposes, it is strongly recommended that wheelchairs back onto the hydraulic lift.
- Wheelchair brakes must be locked while on the lift.
- Wheelchair electric power must be turned off until the driver instructs the customer to re-engage.

- Wheelchairs must wait for the driver's assistance and follow instructions for entering the vehicle.
- It is strongly recommended that a customer using a manual wheelchair have attached footrests.
- Customers with inoperative mobility devices cannot be transported.

***Scooters:***

Scooters are often unstable on lift equipment, and they may exceed the ADA allowable dimensions and weight. Some scooters also come with a warning from the manufacturer that they should not be used as seats on moving vehicles. Customers may ride standard scooters on the lift, but it is strongly recommended that our customers transfer to a seat in the vehicle, whenever possible. Customers traveling on scooters should adhere to the same safety procedures listed for wheelchairs.

***Wheelchair Securement and Seat Belt Policy:***

It is the driver's responsibility to ensure that mobility devices are properly secured. Wheelchair/scooter customers are required to be secured at all times while riding the vehicle, unless they are able to sit in a vehicle seat. Operators are required to secure the lap and shoulder belts to ensure the customer's safety. Failure to cooperate with safety related policies may result in a loss of services.

*For General Public and Oro Valley non-ADA Dial-a-Ride services:*

***Ambulatory Customers:***

Customers unable to use the steps to enter the vehicle may stand on the hydraulic lift to be lifted into the vehicle. Customers who stand on the lift must be able to stand without assistance and to hold the rails with both hands.

**Transporting Packages or Animals**

***Packages***

Each customer is allowed to carry on four (4) packages, (i.e., what the customer can carry on or off in one trip). Drivers do not provide assistance loading or unloading groceries or luggage, unless requested at the time of the reservation.

Excessive luggage and large boxes cannot be accommodated. The maximum combined weight of all packages cannot exceed twenty-five (25) pounds. If your packages exceed the above limits or any one package weighs more than 40 pounds, you may be refused transportation.

Customers may be required to secure their packages at their seats, as storage space on the vehicle is limited.

Packages cannot block the vehicle entrance or the driver's view, or pose a safety hazard to the driver and/or customers on board the vehicle.

***Service Animals***

- Drivers are not permitted to handle service animals.
- A service animal must be under the command of its owner at all times. Procedures for traveling with service animals involve loading the animal first and unloading the animal last.
- For the safety and comfort of the driver and other customers, service animals are required to be clean, well groomed, completely under the control of their handler and absolutely non-aggressive.
- Sun Shuttle Dial-a-Ride will transport authorized service animals



## APPEALS PROCESS

### Appeals Process

Before an ADA paratransit eligible customer is suspended from Sun Shuttle service, Sun Shuttle will attempt to call the person, and will notify the person in writing of Sun Shuttle's intention to suspend service. If the customer's file shows a caregiver, guardian or advocate, then a copy of the warning, suspension, and appeals process will be sent to that person also. The suspension notice will document the specific, verified occurrences of No Shows. The individual will have fourteen (14) days from the date of the letter to file an appeal with the ADA Appeals Coordinator. Once the letter requesting an appeal is received, an appeals hearing will normally be facilitated within the calendar month following the receipt of the appeal, pending the meeting schedule of the ADA Appeals Board. Trips on Sun Shuttle to attend the appeals hearing will be provided free of charge and the customer will be able to schedule and ride Sun Shuttle as usual during this appeals period. The customer, caregiver, guardian or advocate will receive a written decision from the ADA Appeals Coordinator informing the customer of the decision within thirty (30) days. If the customer does not file an appeal to the notice of suspension, then the suspension will become effective at the end of the 14-day period.

### Service Suspension Appeals Process

*All customers who are issued a "refusal to provide service" letter will have the right to appeal the suspension, as described below:*

<sup>1</sup> 49 CFR, Part 37.5 "It is not discriminatory

under this part for an entity to refuse to provide service to an individual with disabilities because that individual engages in violent, seriously disruptive, or illegal conduct. However, an entity shall not refuse to provide service to an individual with disabilities solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of the entity or other persons."

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The individual will have sixty (60) calendar days from the date of the notification letter to file an appeal with the ADA Appeals Coordinator. The information concerning the appeals process will be included in the correspondence sent to the offending customer, caregiver, guardian or advocate. Sun Shuttle will provide transportation to the appealing party to and from the hearing free of charge.

If during the ADA appeals process it has been determined that Sun Shuttle has legitimately refused service to someone who has engaged in violent, seriously disruptive, or illegal conduct, either the ADA Appeals Coordinator or the ADA Appeals Board may choose to provide conditional service to him or her on actions that would mitigate the problem. For example, the ADA Appeals Coordinator or the ADA Appeals Board could choose to require an attendant as a condition of providing service it otherwise had the right to refuse.<sup>2</sup> Examples of the violent, seriously disruptive, or illegal conduct resulting in "refusal to provide service" include but are not limited to the following:

- Disrupting the driver while he/she is driving the vehicle.
- Engaging in any conduct or activity that represents a danger to himself/herself, to other customers or to the driver.
- Making physical or verbal threats to the driver or to other customers.
- Damaging or destroying vehicle equipment or any employee's or customer's property.

- Getting out of the seat while the vehicle is in motion or while the trip is underway.
- Refusing to wear a seat belt.
- Smoking, consuming alcoholic beverages or any illegal substance while on board the Sun Shuttle vehicle.
- Disrupting other customers.
- Disrobing.
- Swearing, name calling and/or abusive language.
- Personal Hygiene condition, resulting in a public health hazard.
- Lewd and/or lascivious acts directed toward the driver and/or other customers.

### **RESPONSIBILITY FOR REVIEW**

The suspension procedures remain subject for periodic review and update.

<sup>2</sup>49 CFR, Part 37.5 (App.D) "If an entity may legitimately refuse service to someone, it may condition service to him on actions that would mitigate the problem. The entity could require an attendant as a condition of providing service it otherwise had the right to refuse."