



# Americans With Disabilities Act

## Equipment Maintenance & Lift and Securement Use

# Useful Resources

## **Disability Rights, Education and Defense Fund**

- Topic Guides in ADA Transportation
  - <https://dredf.org/ADAtg/>
- How-to guide in the following subject areas:
  - Equipment Maintenance
  - Stop Announcement and Route Identification
  - Eligibility for ADA Para-transit
  - Telephone Hold Time in ADA Para-transit
  - Origin to Destination Service in ADA Para-transit
  - On-Time Performance in ADA Para-transit
  - No-Shows in ADA Para-transit

# Equipment Maintenance

- ADA requires transit agencies to maintain in operative conditions those features of facilities and vehicles necessary to make the facilities and vehicles accessible.
- Preventative maintenance of features:
  - Lifts and ramps
  - Kneeling mechanisms
  - Automatic stop announcement annunciators
  - Wheelchair securement devices (tie-downs)
  - Also consider facilities: elevators, path of travel, systems for communication, etc.

# Equipment Maintenance

## **Accessibility features must be repaired promptly**

- When an accessibility feature is out of order, agencies must take reasonable steps to accommodate individuals with disabilities who would otherwise use that feature
  - Patterns or an overly long interruption in service could be considered discrimination

# Equipment Maintenance

## **Lift or ramp is discovered to be inoperative**

- Must take the vehicle out of service before the start of the next service day
- Must be repaired before put back into service

**May not put a bus with a broken lift or ramp into service**

- If no replacement vehicle is available, and taking the vehicle out of service would reduce service available to the general public, the vehicle may be kept in service
  - No more than 5 days (area 50,000 or fewer population)
  - No more than 3 days (area over 50,000 population)

# Equipment Maintenance

## **Regular and Frequent Maintenance Checks**

- Agencies must establish a system of regular maintenance checks of bus lifts and ramps
  - Frequently enough to ensure equipment is operative
  - Daily checks are a best practice (pre-trip)
    - May also include other accessibility equipment
    - Any defects should be reported immediately
- On occasion, lifts and ramps should also be tested with a full load
  - May cycle without weight but could still have problems

# Equipment Maintenance

## **Provide Alternative Service**

- If a vehicle is operating a fixed route with an inoperable lift/ramp, and the headway to the next accessible vehicle on the route exceeds 30 minutes
  - Agency must promptly provide alternative transport to that individual
- Considerations:
  - Timely reporting of inoperable lifts/ramps and communication with driver, dispatch & management
  - Alternative service: dispatching road supervisor or extra driver, Para-transit service, van service, etc.

# Equipment Maintenance

## **False Claims of Broken Lifts or Ramps**

- What if a driver says a lift or ramp is broken to avoid boarding an individual with a disability?
  - Whether the lift is broken and not reported, or the driver says its broken when its not, it's an ADA violation
- Importance of operational procedures as well as inspections, maintenance and maintenance of problem equipment

Enforce disciplinary policy for drivers found to falsify lift/ramp failures, refuse requests of use, or bypass people with disabilities



# Equipment Maintenance

## **Policies and Training**

- Written policies and procedures that address ADA equipment maintenance requirements
- Policies should be covered in employee training
  - Disability sensitivity
  - Hands-on training in equipment use and operation
    - Demonstrations, resolving common problems, deployment, simulation of riders, etc.
  - How to handle any failures at pullout and in service
  - How to handle failures properly and arranging alternative transportation when appropriate

# Lift and Securement Use

## **Boarding and Alighting**

- Adequate time must be allowed for boarding and alighting of passengers with disabilities
  - Includes adequate time for passengers to get seated
- Passengers who use wheelchairs to board platforms may face either toward or away from vehicle

# Lift and Securement Use

- All wheelchairs meeting the following specifications and their users must be transported:
  - Not exceeding 30 inches in width
  - Not exceeding 48 inches in length
  - Not weighing more than 600 pounds (occupied)
- Securement system **must** be used to secure wheelchair
- Cannot deny service on basis of difficulty in securing wheelchair

# Lift and Securement Use

- Must permit standees to use lift to enter vehicle
- Each securement location must have a 3 point passenger restraint system
- Can only require passenger restraint if **all** passengers are required to use

# Lift and Securement Use

- Transfer from a wheelchair to a vehicle seat can be recommended, but not required
  - Final decision is up to the passenger
- Where necessary or requested, drivers must assist with use of:
  - Securement system
  - Ramp
  - Lift
- This assistance is required even if the driver must leave his/her seat

# Discussion

- Questions and comments?

