

Reasonable Modification Procedures

The US Dot issued a Final Rule under the American Disability Act (ADA) and Section 504 of the Rehabilitation Act of 1973 which took effect on July 13, 2015, and can be found at <http://www.gpo.gov/fdss/pkg/FR-2015-03-13/pdf/2015-05646.pdf>. Per this final rule, the Regional Transit Authority – RIDES Public transit is required to make reasonable modifications or accommodations to our policies and practices to ensure individuals with disabilities have equal access to Regional Transit Authority – RIDES’ transit programs and services.

As of July 13, 2015, and thereafter, Regional Transit Authority – RIDES will consider requests for reasonable modifications so individuals with disabilities can have equal access to our Demand response services as follows:

1. **Modification Requests Submittals:** An individual requesting a modification will describe what they need in order to use Regional Transit Authority – RIDES’ service. Individuals should state their impending trip date within their request, if possible. Regional Transit Authority – RIDES can take up to 21 days to process ADA Reasonable Accommodation request.
 - a. Requests can be made through general customer service inquiries by emailing info@nwiarides.org, or by calling Regional Transit Authority – RIDES at 1-800-358-5037.
2. **Designated Responsible Employee:** Regional Transit Authority – RIDES Associate Executive Director, Cindy Voss, is designated as the responsible employee to approve/deny pending reasonable modification requests.

Cindy Voss, Associate Executive Director
522 10th Avenue East/PO Box 1240
Spencer, Iowa 51301
cvoss@nwiarides.org or 712-262-7920

Regional Transit Authority – RIDES Public Transit is committed to providing public transit service to all the general public, including those individuals with disabilities. If you are an individual with a disability and believe an accommodation or modification in Regional Transit Authority – RIDES services, policies, or programs would allow you to access Regional Transit Authority – RIDES’ transit services, please contact Cindy Voss, via phone, letter, or email, and describe what modifications are needed in order for you to use Regional Transit Authority – RIDES services.

3. **Use of Term Reasonable Modification Not Required:** The individual requesting modification is not required to use the term “reasonable modification” when making a request. General complaints concerning issues in accessing transit service or general information requests for modifications in service due to an individual’s disability

should be directed to Regional Transit Authority – RIDES’ Associate Executive Director, as part of the general complaint process.

4. **Requests In Advance:** Whenever feasible, requests for modifications should be made and determined in advance, before Regional Transit Authority – RIDES is expected to provide the modified service. Individuals should state their pending trip date within their request.

Depending on the complexity of the request, and if any financial assistance is needed to grant the request, additional Regional Transit Authority – RIDES’ administrative/operational staff could also be involved in providing more information for any modification approval/denial determination.

5. **Requests During Transit Trip:** Where a request for modification cannot practicably be made and determined in advance, operating personnel will make determination of whether the modification should be provided at the time of the request. If necessary, operators will consult with Regional Transit Authority – RIDES’ dispatcher before making a determination to deny the request. Any denials for modifications that cannot be granted shall be written up as an incident by the driver to forward to Cindy Voss for official documentation.
6. **Reasonable Accommodation Approvals:** Any approved modification for a passenger with a disability shall be noted and printed on the driver instructions (schedule) when picking up the passenger. It can take up to 21 days for Regional Transit Authority – RIDES to process Reasonable Modifications.

All Regional Transit Authority – RIDES dispatchers will have access to approved Reasonable Modifications.

7. **Grounds For Denial:** Requests for modifications of policies and practices may be denied on one or more of the following grounds:
 - a. Granting the request would fundamentally alter the nature of Regional Transit Authority – RIDES’ Transit service, programs, or activities.
 - b. Granting the request would create a direct threat to the health or safety of others.
 - c. Without the requested modification, the individual with the disability is able to fully use Regional Transit Authority – RIDES’ services, programs, or activities for their intended purpose.
 - d. Results in an undue financial and administrative burden.

8. **Other Actions Prior To Official Denial:** Any denials of formal requests prior to the trip would be confirmed with Regional Transit Authority – RIDES’ Associate Executive Director and Regional Transit Authority – RIDES’ Executive Director to ensure no other accommodations could be made to allow the individual to receive transit service.

In any case in which Regional Transit Authority – RIDES denies a request for a reasonable modification as requested by the passenger, Regional Transit Authority – RIDES will take, to the maximum extent possible, any other actions (that would not result in a direct threat or fundamental alteration) to ensure that the individual with a disability receives the services or benefits provided by Regional Transit Authority – RIDES.

9. **Reasonable Modification Denials:** Any denials for reasonable accommodation by Regional Transit Authority – RIDES will be promptly communicated via written letter and/or e-mail to the individual requesting the accommodation, including the reasons for the denial.

All denials, including reasoning, will be documented for reporting purposes to the Federal Transit Administration upon request.

10. **Decisions Guided by 49 CFR Appendix E:** In determining whether to grant a requested modification, Regional Transit Authority – RIDES will be guided by the provisions of United States Department of Transportation 49 CFR Appendix E to Part 37.169. (<http://www.gpo.gov/fdsys/pkg/FR-2015-03-13/pdf/2015-05646.pdf> - pages 13261-13263)

11. **Procedure Availability:** Regional Transit Authority – RIDES’ complaint and reasonable accommodation procedures are available on the Regional Transit Authority – RIDES’ website at www.nwiarides.org, or by an individual’s request to Regional Transit Authority – RIDES. For a copy of these procedures, please call Regional Transit Authority – RIDES at 712-262-7920, or e-mail info@nwiarides.org, and request these procedures be sent via regular mail, or go to the links below for immediate access:

- Complaint Procedures:
<https://nwiarides.org/wp-content/uploads/Title-VI-Complaint-Form.pdf>
- Reasonable Accommodation Procedures:
<https://nwiarides.org/wp-content/uploads/Title-VI-Complaint-Procedure.pdf>