

AMERICANS WITH DISABILITIES ACT (ADA)

Americans with Disabilities Act (ADA)

On July 26, 1990, the Americans with Disabilities Act of 1990 (ADA) was signed into Law. The comprehensive legislation was intended to ensure that persons with disabilities enjoy access to the mainstream of American life. The goal of the ADA has been stated as:

To assure that persons with disabilities have equal opportunity; a chance to full participation in society, are able to live independently, and can be economically self-sufficient.

Definition of Disability According to the ADA

Physical or mental impairment that substantially limits one or more major life activities, a record of such impairment, or begin regarded as having such impairment.

This definition includes non-ambulatory and semi-ambulatory individuals and those who are ambulatory but have some other type of incapacity or disability. An elderly individual is not defined as disabled unless the person is disabled or incapacitated by reason of age.

Key Elements:

As federally mandated, Mountain Valley Transit complies with the following requirements:

- New or remanufactured vehicles acquired for fixed route service and/or demand response service will be accessible to disabled persons, including those in wheelchairs.
- Public agencies, which provide, or contract for, *fixed route service*, must provide supplemental, often called complementary, paratransit service for those persons who cannot use the fixed route service or for the disabled to access the fixed route service.
- In all respects, the Regulations specify that the provisions of transportation services through a contractual relationship, whether that contract is between a public and a private entity or between two private entities, shall not reduce or remove any requirements of the ADA. Rather, the contractor entity is considered to “stand in the shoes” of the contracting entity.
- Service is provided in most integrated setting possible.
- Response times, fares, service area, hours and days of service, trip purpose restrictions are consistent for all riders.
- Accessible equipment must be available on request.
 1. Agency will be responsible for providing lift-equipped vehicle and will be responsible for equipment maintenance, lift and securement use.
 2. All “common wheelchairs” will be transported.
 - a. Less than 30 inches in width
 - b. Less than 45 inches in length
 - c. Measure 2 inches above the ground

d. Less than 600 pounds when occupied

- Access to information – all print materials is available in accessible formats. Accessible material must be available upon request and in a form that the person can use.
- Access to communication – information is available by telephone (TTY/TDD Relay Services) upon request.
- Employee Training – Personnel are trained in proficiency to operate vehicles and equipment safely and treat individuals with disabilities in a respectful and courteous way.
- Riders are permitted to travel with service animals that are trained to assist them.
- Riders are allowed to travel with respirators and portable oxygen.
- Service can be denied if transporting hazardous materials.
- Personal Care Attendants are permitted to accompany rider and are not charged a fare.
 1. Additional charges cannot be imposed even if additional services are required.
 2. Adequate time for boarding/disembarking time must be provided.

Reference: 49 CFR Parts 27, 37, and 38
Posted in Mountain Valley Transit vehicles.

Mountain Valley Transit - Transit ADA Complaint and Investigation Procedures

The following procedures cover complaints filed under Americans with Disabilities Act for alleged discrimination in any program or activity administered by Mountain Valley Transit.

These procedures do not affect the right of the Complainant to file formal complaints with State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and Mountain Valley Transit may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under ADA and related statutes may file a written complaint (see complaint form) and send it to the following:

Mountain Valley Transit
Executive Director
54 Jones Avenue
Salida, CO 81201
719-530-0223