

Interview Guide for Kansas 5311 Sub-recipients

Transit Agency:

Agency Representative Name:

Agency Contact Information:

Address:

Phone:

Email:

Instructions for Use: Complete all applicable information and forward this questionnaire and the requested documents prior to the scheduled site visit date. Please respond to every question.

If you have any questions, please contact the reviewer.

Reviewer Name:

Email:

Phone:

Date of Site Visit:

Introduction

1. **Description of Agency** (include organizational structure, hours of operation, number of full and part-time employees and if they are administrative, maintenance, drivers, volunteers, types of services provided, service area, etc.).

2. **Description of All Services** (include main services, services under contract, services where a vehicle is leased to another agency, services where the transit system leases a vehicle from another agency, etc. Please be as descriptive as possible, including days and hours of operation, passenger fare, which agency provides the drivers, does the service have a history of providing incidental service, etc.). Please list each service separately:

3. **Highlight New Projects** (describe any new projects the transit system has been working on and include success stories as well as failures)

4. **Required Documentation.** The following checklist indicates that some documentation should be provided to the reviewer prior to the site visit and other documentation must be available on-site during the review.

SECTION 1: Eligibility

Question 1.01
Are all transit services provided by the agency open to the general public? (If yes, go to Question 1.03.)
Acceptable Response
Yes.
Guidance or Regulation
“Transportation providers cannot prioritize trips for medical purposes over other trip purposes. Public transportation must be made available to all passengers on first come first serve basis with equal access for all passengers..” (KDOT Policy Manual – Office of Public Transportation, 2018, page 30)
Documentation Required
The agency should have a similar statement in their rider handbook.

Question 1.02
If not, describe any services not open to the public and why they are not.
Acceptable Response
Case by case basis. Record any and all services provided by the agency as a part of their <u>transportation service</u> . This is related to question 3.04
Guidance or Regulation
Per KDOT.
Documentation Required
N/A

<p>Question 1.03 How are services advertised to the general public?</p>
<p>Acceptable Response</p> <p>Refer to KDOT and FTA guidance below. Advertisements in the newspaper and the yellow pages must be reviewed.</p>
<p>Guidance or Regulation</p> <p>KDOT requires all 5311 and/or 5339 programs to advertise the public transportation services program monthly in the local newspaper that has a distribution to the general public in their service area. Advertising cannot be strictly in a senior citizens' newsletter or only in the senior citizens' section of the newspaper.</p> <p>-If there are several locations within the provider's service area, the provider must advertise in all local newspapers.</p> <p>-Ads cannot be placed in classified section of the newspaper.</p> <p>-Must be block ad 2"x3" in size.</p> <p>-All advertising must include the following: Indicate transit service runs on a "first come, first serve" basis Include the statement: "This project is funded by the KDOT Public Transportation Program"</p> <p>-Sanction for non-compliance with advertising requirement is a forfeiture of all operating reimbursements until the required information is submitted to KDOT.</p> <p>-Advertising in regional or local phone book yellow pages under the category 'Transportation Service Providers' or 'General Public Transportation' is also required and must specify that it is <u>general public transportation</u>.</p> <p>-Copies of all advertising should be retained by provider for a period of 5 years. (KDOT Policy Manual – Office of Public Transportation, 2018, page 12 for all above.)</p> <p>-Examples of other advertising medium (should be pre-approved by KDOT to ensure reimbursement) include: brochures, posters, flyers, public service announcements, radio, TV, social media commercials, cable TV local access channel, exterior signs and billboards, and small marketing give-a-ways (such as pens, pencils, notepads, etc. (KDOT Policy Manual – Office of Public Transportation, 2018, page 12)</p> <p>-“Transit service hours must be included in the policies and procedures and advertisements for the transportation services program.” (KDOT Policy Manual – Office of Public Transportation, 2018, page 26)</p>
<p>Documentation Required</p> <p>Yes. Provide all available advertising documents. (before site visit)</p>

Question 1.04
Does the agency own all vehicles used to provide public transportation services?
Acceptable Response
Yes.
Guidance or Regulation
Per KDOT.
Documentation Required
N/A

Question 1.05
Are all vehicles (owned/not owned) providing service as part of the public transit program marked with the agency name on both sides, and are KDOT decals properly posted?
Acceptable Response
Yes. The agency is not required to show the review team every KDOT vehicle in the fleet. The reviewer must also review the vehicle to: cycle the lift, verify the Title VI poster and brochures are available in the vehicle and the KDOT decal is properly posted.
Guidance or Regulation
- "KDOT will issue a KDOT Public Transit Network decal to all agencies when they receive a new transit vehicle. The small decals go on the lower right-hand side of the back door on all 5-7 passenger mini-van or ramp mini-vans. The large decal is to be placed on the back door of the 12, 13, 14 and 20 passenger vans on the lower right-hand side."
- "Vehicles being used in the 5311 program must be labeled with the words GENERAL PUBLIC TRANSPORTATION and the local agency telephone number. Public transportation service providers are not allowed to include logos or marking that specify specific clientele. "
- "Agencies approved to participate in the Regional Rural Transportation program will be required to label all vehicles with the approved Kansas Rides logo and labeling." (KDOT Policy Manual – Office of Public Transportation, 2018, pages 20-21)
Documentation Required
N/A

<p>Question 1.06 Describe any “incidental” services (e.g., meal delivery) that the agency or its subcontractors provide, and when those services are provided. (Include anything not advertised and operated open to the public.)</p>
<p>Acceptable Response The agency should describe any incidental services. This is connected with question 3.04</p>
<p>Guidance or Regulation “For 5311 and/or 5339 programs, meal delivery, delivery of goods, or personal errands with a KDOT program vehicle is strictly prohibited.” (KDOT Policy Manual – Office of Public Transportation, 2018, page 30)</p>
<p>Documentation Required Yes. Include available documentation.</p>

<p>Question 1.07 Are these incidental services provided with federally funded vehicles?</p>
<p>Acceptable Response 5311 agencies are not allowed (per KDOT) to provide incidental services with KDOT vehicles. This is connected with question 3.04.</p>
<p>Guidance or Regulation “For 5311 and/or 5339 programs, meal delivery, delivery of goods, or personal errands with a KDOT program vehicle is strictly prohibited.” (KDOT Policy Manual – Office of Public Transportation, 2018, page 30)</p>
<p>Documentation Required Yes. Include available documentation.</p>

<p>Question 1.08 Does the agency, including sub-providers, provide any charter services? If yes which sub-providers?</p>
<p>Acceptable Response If yes, list sub-providers. Generally, 5311 agencies are not permitted to perform charter service. If they do, they must first receive permission from KDOT and/or FTA.</p>
<p>Guidance or Regulation “Charter Service” means, but does not include demand response service to individuals: 1. Transportation provided by a recipient at the request of a third party for the exclusive use of a bus or van for a negotiated price. The following features may be characteristic of charter service: i. A third party pays the transit provider a negotiated price for the group; ii. Any fares charged to the individual members of the group are collected by a third party; iii. The service is not a part of the transit provider’s regularly scheduled service, or is offered for a limited period of time; or iv. A third party determines the origin and destination of the trip as well as scheduling 2. Transportation provided by a recipient to the public for events or functions that occur on an irregular basis for a limited duration and: i. A premium fare is charged that is greater than the usual or customary fixed route fare; or ii. The service is paid for in whole or in part by a third party. (KDOT Policy Manual – Office of Public Transportation, 2018, page 33)</p>
<p>Documentation Required If answered yes, include documents identifying sub-providers.</p>

<p>Question 1.09 Does the transit system or its sub-contractors operate exclusive school bus service? If yes, does the service qualify for one of the statutory exemptions? Has the system received approval from the FTA Administrator? Does the service operate only with non-FTA funded equipment and facilities? How does the system ensure that sub-contractors comply with school bus regulations?</p>
<p>Acceptable Response No. 5311 agencies are not permitted to operate exclusive school bus service. If they do, they must have first received approval from the FTA administrator.</p>
<p>Guidance or Regulation KDOT follows the Federal Transit Administration guidelines on school bus transportation. The FTA Circular 9040, Section 5323(f) prohibits the use of FTA funds for exclusive use for school students and school personnel. (KDOT Policy Manual – Office of Public Transportation, 2018, page 31)</p>
<p>Documentation Required N/A</p>

<p>Question 1.10 Has the agency's Title VI plan been forwarded to KDOT?</p>
<p>Acceptable Response Yes. If the agency is unsure, they can email their Title VI plan to Scott Lein at KDOT. His email address is scott.lein@ks.gov.</p>
<p>Guidance or Regulation "FTA requires that all direct and primary recipients document their compliance by submitting a Title VI Program to their FTA regional civil rights officer once every three years." (FTA Circular 4702.1B, 2012, page 18)</p>
<p>Documentation Required The agency forwards a copy of the Title VI Plan (before site visit).</p>

<p>Question 1.11 If so, does the Title VI plan contain the required elements:</p> <p> <input type="checkbox"/> Notice of Rights under Title VI <input type="checkbox"/> How to file a complaint, copy of complaint form <input type="checkbox"/> List of Title VI investigations, complaints or lawsuits <input type="checkbox"/> Public Participation Plan <input type="checkbox"/> Limited English Proficiency Plan (LEP) <input type="checkbox"/> Board of Directors' resolution or meeting minutes demonstrating the Board approved the Title VI Plan <input type="checkbox"/> Racial breakdown of Non-elected Advisory Councils </p>
<p>Acceptable Response The agency's plan must include all the above items. These items were reviewed prior to the site visit.</p>
<p>Guidance or Regulation "Transportation services providers must have a Title VI plan and policies in place that address procedures for special needs, service animals and the complaint or grievance process." (KDOT Policy Manual – Office of Public Transportation, 2018, page 29)</p>
<p>Documentation Required Yes. A copy of the plan is required. (before site visit)</p>

<p>Question 1.12</p> <p>If submitted, does the LEP Plan contain the required elements?</p> <p>_____ Results of the Four Factor Analysis</p> <p>_____ Description of how the sub-recipient provides language assistance services by language</p> <p>_____ Description of how the sub-recipient monitors, evaluates and updates the language access plan</p> <p>_____ Description of how the sub-recipient trains employees to provide timely and reasonable language assistance to LEP populations</p>
<p>Acceptable Response</p> <p>The agency's plan must include all the above items. These items were reviewed prior to the site visit.</p>
<p>Guidance or Regulation</p> <p><u>"9. Requirement to Provide Meaningful Access to LEP Persons</u></p> <p>a. Four Factor Analysis. In order to ensure meaningful access to programs and activities, recipients shall use the information obtained in the Four Factor Analysis to determine the specific language services that are appropriate to provide. A careful analysis can help a recipient determine if it communicates effectively with LEP</p> <p>b. Developing a Language Assistance Plan. After completing the Four Factor Analysis, the recipient shall use the results of the analyses to determine which language assistance services are appropriate." (FTA Circular 4702.1B, 2012, page 27 and 28)</p>
<p>Documentation Required</p> <p>Yes. A copy of the plan is required. (before site visit)</p>

<p>Question 1.13</p> <p>Where are Title VI posters located?</p>
<p>Acceptable Response</p> <p>Provide proof of posters displayed in reviewed vehicle, the organization's main building location and on the agency's website. The poster should be clearly visible in an area where all clients can access.</p>
<p>Guidance or Regulation</p> <p><u>"5. Requirement to Notify Beneficiaries of Protection Under Title VI.</u></p> <p>Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, recipients shall disseminate this information to the public by posting a Title VI notice on the agency's website and in public areas of the agency's <u>office(s), including the reception desk, meeting rooms, etc.</u> Recipients should also post Title VI notices <u>at stations or stops, and/or on transit vehicles.</u>" (FTA Title VI Requirements for FTA Recipients, 2012, page 24)</p>
<p>Documentation Required</p> <p>Yes. Provide a picture offering proof the poster is displayed in a public area of the office, on the agency's website, and in all KDOT vehicles.</p>

Question 1.14 Where are Title VI brochures located?
Acceptable Response Provide proof of brochures in reviewed vehicle and the organization's main building location. If the agency does not have copies of the brochure, they can access a copy on the KDOT website and print it out. Refer to this link to find a copy of the English and Spanish brochure. https://www.ksdot.org/BurTransPlan/pubtrans/index.asp
Guidance or Regulation <i>"b. Effective Practices for Fulfilling the Notification Requirement.</i> <u>(1) Dissemination.</u> Agencies shall inform the public of their rights under Title VI through such measures as posting the Title VI notice on posters, comment cards, or flyers placed at stations , bus shelters, and in transit vehicles . The type, timing, and frequency of these measures are at the recipient's discretion, as long as the type, timing, and frequency are sufficient to notify passengers and other interested persons of their rights under DOT's Title VI regulations with regard to the recipient's program." (FTA Title VI Requirements for FTA Recipients, 2012, page 24)
Documentation Required Yes. Provide a picture offering proof the brochures are displayed in a public area of the office and in all KDOT vehicles.

Question 1.15 Where are Title VI complaint forms located?
Acceptable Response Have complaint forms available at the agency's office location(s). It is common for the transportation director to have copies of this form available in their office.
Guidance or Regulation <u>"Requirement to Develop Title VI Complaint Procedures and Complaint Form:</u> In order to comply with the reporting requirements established in 49 CFR Section 21.9(b), all recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form, and the form and procedure for filing a complaint shall be available on the recipient's website..." (FTA Title VI Requirements for FTA Recipients, 2012, page 25)
Documentation Required Yes. A copy of the complaint form. Forms are usually included in the Title VI Plan.

SECTION 2: Management

Question 2.01
Are required EEO posters displayed at transit agency office, contractors' offices, transit garage, etc.?
Acceptable Response
Yes. The agency must show this poster is clearly visible for all transportation department staff. Posters are usually found in employee break rooms.
Guidance or Regulation
Per KDOT.
Documentation Required
Yes. Provide proof that EEO posters are displayed in a common area where employees can access. Take a picture of the proof as well.

Question 2.02
Does the agency have receipts for KDOT reimbursement requests?
Acceptable Response
Per Cory Davis – we will print a sample reimbursement request from Black Cat. The reviewer will then use the reimbursement requests provided by KDOT and compare them with the matching receipts provided by the agency. This will be used as a sort of check to confirm agencies are keeping track of expenses and not just filling out expense forms blindly online.
Guidance or Regulation
“The State of Kansas mileage and meal rates will be used when a provider is requesting reimbursement for attending training. Transit providers should keep all receipts for reimbursement requests (meals, registration fees, motel or hotel room fees, turnpike fees, and parking fees) at their agency office and have them available for review when KDOT does the triennial on site review.” (KDOT Policy Manual – Office of Public Transportation, 2018, page 18)
Documentation Required
Yes. Receipts for KDOT reimbursement requests.

Question 2.03
Does the agency have proof of payroll taxes deducted from employee's paycheck?
Acceptable Response
The provider should have employee paycheck stubs or 941 IRS forms.
Guidance or Regulation
“The deduction of payroll taxes from the employee's paycheck and the completion of all required Federal or State employer reporting requirements will be verified when KDOT staff completes the triennial on-site review.” (KDOT Policy Manual – Office of Public Transportation, 2018, page 16 - 17)
Documentation Required
Yes. Include available documentation

Question 2.04

Does the agency transport individuals across state lines with a KDOT funded vehicle? (If no, skip Questions 2.05-2.07 and go to Section 3.)
Acceptable Response
Yes or no.
Guidance or Regulation
K.A.R. 82-4-3, Mike J. Hoeme Director of Transportation Division, Kansas Corporation Commission.
Documentation Required
N/A

Question 2.05
Is the agency a city or county government that sponsors public transportation services? (If yes, skip Questions 2.06-2.07 and go to Section 3.)
Acceptable Response
Yes or no.
Guidance or Regulation
K.A.R. 82-4-3, Mike J. Hoeme Director of Transportation Division, Kansas Corporation Commission.
Documentation Required
N/A

Question 2.06
Does the agency use a vehicle with a capacity of more than 8-passengers for trips across state lines? (If no, skip Question 2.07 and go to Section 3.)
Acceptable Response
Yes or no.
Guidance or Regulation
K.A.R. 82-4-3, Mike J. Hoeme Director of Transportation Division, Kansas Corporation Commission.
Documentation Required
N/A

Question 2.07

Describe the type of trips being offered and the rider type. Are there other available vehicles that could be used for trips across state lines? If yes, what is the capacity of those vehicle(s)? Are they registered with the KCC? Do the vehicles have a DOT# and a federal MC#?
Acceptable Response
Have agency indicate the services provided across state lines. Identify any other potential vehicles to use across state lines.
Guidance or Regulation
“All transit service providers that choose to cross the state line to provide transportation services must comply with the interstate passenger regulations under the Kansas Commerce Commission (KCC), the Federal Highway Administration (FHWA), and the Federal Motor Carriers Safety Administration (FMCSA). The regulatory guidance for each agency can be found on their website or by contacting the agency office.” (KDOT Policy Manual – Office of Public Transportation, 2018, page 30)
Documentation Required
N/A

Question 2.08 Are all safety sensitive employees enrolled in the FTA Drug and Alcohol Program?
Acceptable Response
Yes or no.
Guidance or Regulation
Per KDOT drug and alcohol compliance.
Documentation Required
N/A

Question 2.09 Does the agency have the current Anti-Drug and Alcohol Misuse Prevention Policy? (Currently August 2014.)
Acceptable Response
Yes or no.
Guidance or Regulation
Per KDOT drug and alcohol compliance.
Documentation Required
Yes. Include available documentation.

Question 2.10

Does the agency maintain a record that each safety sensitive employee has a signed copy of the Employee Affirmation of Drug and Alcohol Testing Policy?
Acceptable Response
Yes or no.
Guidance or Regulation
Per KDOT drug and alcohol compliance.
Documentation Required
Yes. Include available documentation.

Question 2.11
Does the agency have the current Employee Assistance Program Policy? (Currently October 2009)
Acceptable Response
Yes or no.
Guidance or Regulation
Per KDOT drug and alcohol compliance.
Documentation Required
Yes. Include available documentation.

Question 2.12
Does the agency maintain a record that each safety sensitive employee has a signed copy of the EAP Policy Receipt?
Acceptable Response
Yes or no.
Guidance or Regulation
Per KDOT drug and alcohol compliance.
Documentation Required
Yes. Include available documentation.

Question 2.13

Does the agency have proof of each driver’s physical?
Acceptable Response
Yes or no.
Guidance or Regulation
<p>Refer to the KDOT Policy Handbook under the “New Driver Physicals” section, page 17.</p> <p>“New drivers will be required to have a pre-employment DOT driver’s physical showing that the driver is in appropriate physical condition to operate a transit vehicle. Agencies that participate in the 5311 and/or 5339 programs must conduct the pre-employment drug screening before a perspective employee can take a DOT driver’s physical.”</p> <p>“Agencies in the 5310 Program will not be required by KDOT to require DOT driver’s physicals unless they also operate 5311 and/or 5339 programs and use the drivers for both programs.”</p> <p>“Agencies that contract with 3rd party contractors to provide drivers for their agency should verify that the contracting agency requires DOT driver’s physicals as a part of the annual contract.”</p> <p>“All agencies are required to keep the driver physical information and forms on file in their office. KDOT will verify that the driver’s physical has been completed and that the employee is current in meeting all DOT physical requirements when the triennial on site review is conducted.”</p>
Documentation Required
Yes. Include available documentation.

SECTION 3: Financial

Question 3.01
Does the agency's accounting system track all revenues and expenses attributable to the public transit program?
Acceptable Response
The agency should have a financial ledger of some kind tracking all revenues and expenses for the public transportation services provided. This record should be separate from all other agency services (including non-public, transportation services).
Guidance or Regulation
Refer to the KDOT Public Transportation Policy Manual under the "Fiscal Monitoring" section, page 68, and the "Triennial/On Site Reviews" section on page 71.
Documentation Required
Yes. Include available documentation.

Question 3.02
How are these revenues and expenses clearly identified as being related to the public transit program?
Acceptable Response
Case by case basis.
Guidance or Regulation
Refer to the KDOT Public Transportation Policy Manual under the "Fiscal Monitoring" section, page 68, and the "Triennial/On Site Reviews" section on page 71.
Documentation Required
Yes. Include available documentation.

Question 3.03
What other sources of funding are received for the transit services?
Acceptable Response
Case by case basis. Record any other funding sources.
Guidance or Regulation
Per KDOT.
Documentation Required
Yes. Include available documentation.

<p>Question 3.04 How does the agency ensure that the fully-allocated costs of providing incidental services are covered by other than state or federal transit funds?</p>
<p>Acceptable Response The agency should have a financial ledger of some kind tracking all revenues and expenses for the transportation services provided. This record should be separate from all other agency services.</p>
<p>Guidance or Regulation Refer to the KDOT Public Transportation Policy Manual under the “Fiscal Monitoring” section, page 68, and the “Triennial/On Site Reviews” section on page 71.</p>
<p>Documentation Required Yes. Include available documentation.</p>

<p>Question 3.05 How does the agency ensure that state and federal transit funds are spent only on costs attributable to the public transit program?</p>
<p>Acceptable Response The agency should have a financial ledger of some kind tracking all revenues and expenses for the transportation services provided. This record should be separate from all other agency services.</p>
<p>Guidance or Regulation Refer to the KDOT Public Transportation Policy Manual under the “Fiscal Monitoring” section, page 68, and the “Triennial/On Site Reviews” section on page 71.</p>
<p>Documentation Required Yes. Include available documentation.</p>

SECTION 4: General ADA

Question 4.01
Does the agency have non-ADA vehicles? If yes, how many?
Acceptable Response
Responses vary between agencies. Record available vehicle information.
Guidance or Regulation
-All applicants are required to have at least one ADA vehicle (ramp mini-van or cutaway van with lift and restraint system) for every 5 vehicles in their KDOT fleet, or, for fleets larger than 30, at least 6 ADA vehicles. If there are no KDOT funded ADA vehicles in the agency fleet and the applicant is applying for a new KDOT vehicle, they must apply for an ADA vehicle. (KDOT Policy Manual – Office of Public Transportation, 2018, page 57)
Documentation Required
N/A

Question 4.02
Are ADA service needs met with the current fleet?
Acceptable Response
Yes or no.
Guidance or Regulation
“No entity shall discriminate against an individual with a disability in connection with the provision of transportation service” (§ 37.5(a)). (ADA FTA C 4710.1, 2015, page 21)
Documentation Required
N/A

Question 4.03
Are wheelchair users, and other persons with disabilities, charged the same fare as other persons of like age/situation?
Acceptable Response
Yes. This should be described in the rider handbook. FTA recipients are not allowed to charge different fares for the same service to wheelchair users.
Guidance or Regulation
“An entity shall not impose special charges, not authorized by [Part 37], on individuals with disabilities, including individuals who use wheelchairs, for providing services required by [Part 37] or otherwise necessary to accommodate them” (§ 37.5(d)).” (ADA FTA C 4710.1, 2015, page 23)
Documentation Required
Yes. Include available documentation.

Question 4.04
Are wheelchairs accepted in all of the agency's service areas?
Acceptable Response
Yes. This should be described in the rider handbook.
Guidance or Regulation
The seven § 37.77(c) service characteristics for determining equivalency for riders with disabilities, including those who use wheelchairs, are: <u>Geographic area of service</u> – Riders with disabilities are able to request trips in the same area or areas as other riders. (ADA FTA C 4710.1, 2015, page 174)
Documentation Required
Yes. Include available documentation.

Question 4.05
How does the agency handle the situation if the agency receives a ride request from a person using a wheelchair in an area or at a time when a non-ADA vehicle is normally used?
Acceptable Response
Responses vary between agencies. Yes or no response expected.
Guidance or Regulation
The seven § 37.77(c) service characteristics for determining equivalency for riders with disabilities, including those who use wheelchairs, are: <u>Geographic area of service</u> – Riders with disabilities are able to request trips in the same area or areas as other riders. <u>Hours and days of service</u> – Riders with disabilities are able to request trips on the same days and during the same hours as other riders. (ADA FTA C 4710.1, 2015, page 174)
Documentation Required
N/A

<p>Question 4.06 Does the agency require that wheelchairs be secured?</p>
<p>Acceptable Response Agencies should have a clear policy on whether or not they require wheelchairs to be secure. Transit agencies <i>can</i> adopt a policy that allows wheelchair riders to ride unsecured. Agencies can also adopt a policy that declines service to a rider who refuses to allow his or her wheelchair to be secured. This should be described in the rider or driver handbook. A transit operator <i>cannot</i> decline service to a rider if the driver has difficulty securing the wheelchair.</p>
<p>Guidance or Regulation “(1) For vehicles complying with Part 38 of this title, the entity shall use the securement system to secure wheelchairs as provided in that part. (2) For other vehicles transporting individuals who use wheelchairs, the entity shall provide and use a securement system to ensure that the wheelchair remains within the securement area.” (ADA FTA C 4710.1, 2015, page 33) (3) http://www.fta.dot.gov/12325_15055.html</p> <p>Securement May a transit operator require that wheelchairs be secured in buses and vans?</p> <p>Yes, if the transit operator has established such a policy, and the vehicle is required to be equipped with a securement system by 49 CFR Part 38. Section 37.165(c)(3) of the DOT ADA regulations allows a transit operator to establish a policy that requires all riders to have their wheelchairs secured while aboard a transit bus or van. Therefore, the operator may decline to provide service to a rider who refuses to allow his or her wheelchair to be secured.</p> <p>Alternatively, transit operators may adopt a policy that allows wheelchairs to ride unsecured. If the rider wishes his or her wheelchair to be secured, however, the operator’s personnel must provide the requested assistance.</p> <p>The regulations do not require that rail vehicles be equipped with securement devices; if securement devices are nonetheless provided, their use is optional and at the rider’s discretion.</p> <p>May a transit operator deny boarding to a rider whose wheelchair is difficult to secure?</p> <ul style="list-style-type: none"> No. If the transit operator has a policy that requires securement, or if a rider asks that the wheelchair be secured, Section 37.165(f) of the DOT ADA regulations requires transit personnel to use their best efforts to secure the device. Section 37.165(d) states that transit operators cannot refuse to accommodate a wheelchair because the device cannot be secured to the driver’s satisfaction. Given the diversity of wheelchairs, transit operators should consult with the owner of the wheelchair to determine the best means of securement.
<p>Documentation Required Yes. Include available documentation.</p>

Question 4.07 Will the agency still transport if driver is not able to secure wheelchair?
Acceptable Response Yes. The agency is required to still provide transportation to a willing rider who is unable to be secured in a vehicle.
Guidance or Regulation "Under § 37.165(c), a transit agency may establish a policy requiring riders to allow drivers to secure their wheelchairs on buses and vans. If an agency establishes a mandatory securement policy, then the agency is permitted to deny service to an individual who refuses to allow his or her wheelchair to be secured. (Conversely, an agency may have a policy allowing riders to remain unsecured, provided that if a rider wishes to have his or her wheelchair secured, agency personnel provide assistance with the securement.)" (ADA FTA C 4710.1, 2015, page 34)
Documentation Required Yes. Include available documentation.

Question 4.08 Is there a formal policy on accepting "service animals" aboard vehicles and in facilities?
Acceptable Response Yes. This should be described in the rider handbook.
Guidance or Regulation - "Transportation services providers must have a Title VI plan and policies in place that address procedures for special needs, service animals and the complaint or grievance process." (KDOT Policy Manual – Office of Public Transportation, 2018, page 29) - "Transportation service policies must include: seat belt usage, passenger assistance, service animals (animals must be able to be trained to assist their handler in daily activities, but no documentation is required from the handler), wheel chair assistance, passenger rules, passenger incidents reporting, medical or other emergencies, fares or donations, pre- and post- trip inspections, vehicle maintenance, the securement of loose articles in the van (medical equipment, oxygen tanks, walkers, etc.)" (KDOT Policy Manual – Office of Public Transportation, 2018, page 23) - A 'service animal' is defined as "any guide dog, signal dog, or other animal individually trained to work or perform tasks for an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items. (Department of Transportation (DOT) Americans with Disabilities Act (ADA) regulations at 49 C.F.R. Section 37.3)
Documentation Required Yes. Include available documentation.

Question 4.09 How does the agency determine if an animal is a “service animal”?
Acceptable Response Responses vary between agencies. However, in the agency’s policy, they are not allowed to require paperwork for the service animal. The only two questions they are allowed to ask are in the guidance below.
Guidance or Regulation “Transit agencies cannot have a policy requiring riders to provide documentation for their service animal before boarding a bus or train or entering a facility, but personnel may ask riders two questions: (1) is the animal a service animal required because of a disability? and (2) what work or task has the animal been trained to perform?” (ADA FTA C 4710.1, 2015, page 37) On complementary paratransit or other demand responsive services, transit agencies may ask riders for notification of their intent to ride with a service animal in order to help ensure adequate space is available for the animal. (An optional good practice is to keep such information in riders’ files.) (ADA FTA C 4710.1, 2015, page 2-18)
Documentation Required Yes. Include available documentation.

Question 4.10 Can a person not using a wheelchair request to ride a wheelchair lift?
Acceptable Response Yes. Some riders may be unable to use the stairs up to the bus. So, an alternative must be given.
Guidance or Regulation “The entity shall permit individuals with disabilities who do not use wheelchairs, including standees, to use a vehicle’s lift or ramp to enter the vehicle. People using canes or walkers and other standees with disabilities who do not use wheelchairs but have difficulty using steps must also be permitted to use the lift on request. If a rider asks to use a lift or ramp, the transit personnel should deploy the lift or ramp without inquiring about the individual’s disability. Provided, that an entity is not required to permit such individuals to use a lift Model 141 manufactured by EEC, Inc. If the entity chooses not to allow such individuals to use such a lift, it shall clearly notify consumers of this fact by signage on the exterior of the vehicle (adjacent to and of equivalent size with the accessibility symbol)” (§ 37.165(g)). The requirement to allow standees on lifts applies to riders who use canes, crutches, walkers, or other assistive devices. It also includes riders with disabilities who do not use any type of assistive device or who may not have a visible or apparent disability. The Part 38 vehicle specifications require handrails on lifts to facilitate use of lifts by standees. (ADA FTA C 4710.1, 2015, page 35) You are still required to take on passengers on the lift whether or not they are standing, in a chair, walker, etc., but you are welcome to keep a collapsible wheelchair on the vehicle and ASK them if they’d prefer to board sitting down, and then transfer to a seat. If they still turn down the offer to sit, you MUST still let them ride the lift without being seated in a chair. (KDOT staff_2017-01-13)
Documentation Required Yes. Include available documentation.

Question 4.11

Do you allow persons to carry compressed oxygen canisters and respirators aboard your vehicles?
Acceptable Response
Yes. The agency's policy must indicate the acceptance of all medical equipment on the vehicle.
Guidance or Regulation
" <u>Transit System Policies</u> : All transit agencies, regardless of the KDOT funding source, must have policies adopted and implemented that define the functions of their transit system. Transportation service policies must include: seat belt usage, passenger assistance, service animals (animals must be able to be trained to assist their handler in daily activities, but no documentation is required from the handler), wheel chair assistance, passenger rules, passenger incidents reporting, medical or other emergencies, fares or donations, pre- and post- trip inspections, vehicle maintenance, the securement of loose articles in the van (medical equipment, oxygen tanks , walkers, etc.)" (KDOT Policy Manual – Office of Public Transportation, 2018, page 23)
Documentation Required
Yes. Include available documentation.

Question 4.12
How does the agency handle a caller who requests a ride at a time when the paratransit vehicle(s) is/are busy?
Acceptable Response
Responses vary between agencies. Yes or no response expected.
Guidance or Regulation
Per KDOT.
Documentation Required
N/A

Question 4.13
Does the agency have a suspension policy for a pattern or practice of no shows?
Acceptable Response
Yes. Provide proof in the rider handbook.
Guidance or Regulation
Only regulations found in Chapter 9 ADA Paratransit Eligibility of the ADA Circular, page 245.
Documentation Required
Yes. Include available documentation.

Question 4.14

On the average, how many denials does the agency have per month? Does the agency track the reasons for denials?
Acceptable Response
Responses vary between agencies. Denials should be tracked either on the trip manifest or through other means.
Guidance or Regulation
Per KDOT.
Documentation Required
Yes. Include available documentation.

Question 4.15
Describe any other policies the agency has which would cause ADA eligible persons to be denied service.
Acceptable Response
This has yet to be an issue with agencies reviewed.
Guidance or Regulation
<p>“The Americans with Disabilities Act of 1990 is required to be followed by all transportation service providers...In general, the law prohibits transportation providers from denying individuals with disabilities the opportunity to use transportation services if the individuals are capable of using the system. It also prohibits transportation service providers from offering services that discriminate against persons with disabilities.” (KDOT Policy Manual – Office of Public Transportation, 2018, page 32)</p> <p>“It is not discrimination 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, or represents a direct threat to the health or safety of others. 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” (§ 37.5(h)).” (ADA FTA C 4710.1, 2015, page 24)</p>
Documentation Required
Yes. Include available documentation.

Question 4.16

How long does/would such a denial of service last?
Acceptable Response
Suspensions may increase as the passenger acquires more no-shows. Suspension periods related to no-shows may not last longer than 30 days. If the agency suspension policy distinguishes between no-shows, and violent, illegal, or seriously disruptive behavior, suspension periods due to violent, illegal or seriously disruptive may be longer
Guidance or Regulation
Section 37.125(h) requires suspensions to be “for a reasonable period of time.” FTA considers up to one week for the first offense as a reasonable duration. Subsequent offenses may justify longer suspensions. A second violation might result in a suspension for a few days longer than the first violation and so forth. While it is reasonable to gradually increase the duration of suspensions to address chronic no-shows, FTA generally considers suspensions longer than 30 days to be excessive. (ADA FTA C 4710.1, 2015, page 9-29)
The only scenario where suspensions may last beyond 30-days is when there are violent, seriously disruptive, or illegal conduct during a trip. If this is the case, a separate no-show suspension policy should be adopted apart from the other potential behavioral-related suspensions. Per KDOT staff – 2018-04-11.
Documentation Required
Yes. Include available documentation.

Question 4.17 Who makes the decision on denial of service?
Acceptable Response
An individual, position, or body within the organization who is responsible for making a decision on denial of service should be identified in a rider or policy handbook.
Guidance or Regulation
“Access to public transit is a civil right and inherent in any civil right is the opportunity for due process. This means providing an individual who is denied service the opportunity to contest that decision, correct the situation, and resume service.” (ADA FTA C 4710.1, 2015, page 26)
Documentation Required
Yes. Include available documentation.

Question 4.18 What opportunity for appeal or administrative review is offered?
Acceptable Response
A grievance or appeal process should be identified in a rider or policy handbook.
Guidance or Regulation
“Access to public transit is a civil right and inherent in any civil right is the opportunity for due process. This means providing an individual who is denied service the opportunity to contest that decision, correct the situation, and resume service.” (ADA FTA C 4710.1, 2015, page 26)
Documentation Required

Yes. Include available documentation.

Question 4.19
How are the agency’s policies on denial of service documented and communicated to the public?
Acceptable Response
A grievance or appeal process should be identified in a rider or policy handbook.
Guidance or Regulation
“The entity shall make available to individuals with disabilities adequate information concerning transportation services. This obligation includes making adequate communications capacity available, through accessible formats and technology, to enable users to obtain information and schedule service” (§ 37.167(f)). (ADA FTA C 4710.1, 2015, page 38)
Documentation Required
Yes. Include available documentation.

Question 4.20
Does the agency have a “rider’s handbook” describing the agency’s policies and procedures relating to the ADA paratransit services?
Acceptable Response
Yes.
Guidance or Regulation
“The entity shall make available to individuals with disabilities adequate information concerning transportation services. This obligation includes making adequate communications capacity available, through accessible formats and technology, to enable users to obtain information and schedule service” (§ 37.167(f)). (ADA FTA C 4710.1, 2015, page 38)
Documentation Required
Yes. Provide a copy of the “Handbook” (before site visit)

Question 4.21
Are the agency’s buildings accessible to all persons with disabilities?
Acceptable Response
Yes. Reviewer should confirm wheelchair access to agency office is available.
Guidance or Regulation
As defined in 49 CFR § 37.3, a facility is “all or any portion of buildings, structures, sites, complexes, equipment, roads, walks, passageways, parking lots, or other real or personal property, including the site where the building, property, structure, or equipment is located.” (ADA FTA C 4710.1, 2015, page 47)
Documentation Required
N/A

Question 4.22
Does the agency use the term 'common wheelchair' anywhere in the agency's documents, websites or advertising materials?
Acceptable Response
The agency should confirm all agency materials do not include the term 'common wheelchair'.
Guidance or Regulation
"The term 'common wheelchair' is no longer to be used in any documents, web pages, or other items pertaining to public transit and paratransit programs and must be removed from all agency documents, websites, and advertising materials." (KDOT Policy Manual – Office of Public Transportation, 2018, page 32)
Documentation Required
N/A

Question 4.23
Does the agency have a policy regarding the use of bicycles in the vehicle?
Acceptable Response
The agency should have a policy concerning whether bicycles are permitted aboard their vehicles.
Guidance or Regulation
"Bike racks, whether installed at the time of vehicle order or added later, are eligible expenses in all our programs. Vehicles that have bike racks should include regular inspection and maintenance of the racks to ensure proper working order. For vehicles that do not have bike racks, bicycle may or may not be permitted inside the vehicle – this is up to the agency's discretion and must be noted both in policy as well as in the rider's handbook that each agency must develop." (KDOT Policy Manual – Office of Public Transportation, 2018, page 54)
Documentation Required
Yes. Include available documentation.

SECTION 4.1: ADA Fixed-route (*if applicable*)

<p>Question 4.101</p> <p>Do the agency's drivers announce all major intersections, major stops and transfer points?</p>
<p>Acceptable Response</p> <p>Announcements (either by driver, or automatic announcement system) are required at major intersections, major stops, and transfer points. This is to benefit persons with vision impairments.</p>
<p>Guidance or Regulation</p> <p>Deviated fixed route service is classified as fixed route service, so Section 4.1 questions will apply for those agencies providing that type of service.</p> <p>"If the system provides route deviations only to customers with disabilities, this service is then regarded as complementary paratransit service, and is held to the paratransit service criteria. If the system with flexible service provides complementary paratransit service for its riders with disabilities, it must implement an eligibility determination (and appeal) process for those who would like to use the service. <u>Deviated fixed route service</u> shall be classified as a fixed route service for the purposes of NTD Reporting. All agencies operating any type of deviated service shall track miles, hours, trips, and expenses separately from their demand response service." (KDOT Policy Manual – Office of Public Transportation, 2018, page 54)</p> <p>"On fixed route systems, the entity shall announce stops as follows: (1) The entity shall announce at least at transfer points with other fixed routes, other major intersections and destination points, and intervals along a route sufficient to permit individuals with visual impairments or other disabilities to be oriented to their location. (2) The entity shall announce any stop on request of an individual with a disability" (§ 37.167(b)). (ADAD FTA C 4710.1 Chapter 6.6 Fixed Route Service Stop Announcements, Page 6-7)</p> <p>Also refer to the Stop Announcements section in the KDOT Public Transportation Policy Manual, page 27.</p>
<p>Documentation Required</p> <p>Confirm this policy is in a driver's manual.</p>

<p>Question 4.102</p> <p>Will drivers announce other specific stops/locations, if requested by riders?</p>
<p>Acceptable Response</p> <p>Drivers shall announce any stop on request of a rider with a disability.</p>
<p>Guidance or Regulation</p> <p>"On fixed route systems, the entity shall announce stops as follows: (2) The entity shall announce any stop on request of an individual with a disability" (§ 37.167(b)). (ADAD FTA C 4710.1 Chapter 6.6 Fixed Route Service Stop Announcements, Page 6-7)</p> <p>Also refer to the Stop Announcements section in the KDOT Public Transportation Policy Manual, page 27.</p>
<p>Documentation Required</p> <p>Confirm this policy is in a driver's manual.</p>

Question 4.103 How does the agency verify compliance with this requirement?
Acceptable Response Agency shall have a system to monitor effectiveness of announcement equipment.
Guidance or Regulation To ensure compliance with the § 37.167(b) stop announcement requirements, transit agencies must sufficiently monitor their operators' performance and the effectiveness of the announcement equipment. To perform such activities, agencies typically employ the following people to conduct field observations: <ul style="list-style-type: none"> • Road supervisors or managers • Agency employees commuting by fixed route • Volunteer riders who record and submit their riding experiences ("secret" or "ghost" riders) • Contracted secret riders When road supervisors or managers perform in-service observations, they will be more effective if they are inconspicuous by not wearing uniforms or other identifying items. For transit agencies with multiple garages, an optional good practice is to assign road supervisors to observe employees from other garages or to "borrow" monitors from other agencies. For example, in Washington and Wisconsin, state transit associations have arranged to have supervisors from other member agencies act as secret riders. (ADAD FTA C 4710.1 Chapter 6.6.5 Stop Announcement Considerations, Page 6-10) <p>Agencies are encouraged to send out ghost riders from time to time to ensure compliance with stop announcement as is practical. This is mainly encouraged with fixed route/deviated route/paratransit bus services. (KDOT Policy Manual – Office of Public Transportation, 2018, page 19)</p>
Documentation Required Provide records of past reviews and have policies/procedures for performing future performance reviews.

Question 4.104 Will drivers deploy lift for persons not in wheelchair upon request?
Acceptable Response The agency shall permit individuals to do so.
Guidance or Regulation "The entity shall permit individuals with disabilities who do not use wheelchairs, including standees, to use a vehicle's lift or ramp to enter the vehicle. Provided, that an entity is not required to permit such individuals to use a lift Model 141 manufactured by EEC, Inc. If the entity chooses not to allow such individuals to use such a lift, it shall clearly notify consumers of this fact by signage on the exterior of the vehicle (adjacent to and of equivalent size with the accessibility symbol)" (§ 37.165(g)). (ADAD FTA C 4710.1 Chapter 2.4.6 General Requirements, Page 2-15)
Documentation Required This should be stated in a policy included in the agency's handbook.

Question 4.105
How quickly are vehicles removed from route service once a nonfunctional lift is reported?
Acceptable Response
Agency shall take the vehicle out of service before the beginning of the vehicle's next service day and ensure that the lift or ramp is repaired before the vehicle returns to service.
Guidance or Regulation
<p>"In any case in which a vehicle is operating on a fixed route with an inoperative lift, and the headway to the next accessible vehicle on the route exceeds 30 minutes, the entity shall promptly provide alternative transportation to individuals with disabilities who are unable to use the vehicle because its lift does not work" (§ 37.163(f)). (ADAD FTA C 4710.1 Chapter 6.2 Lift/Ramp Issues Specific to Fixed Route, Page 6-1)</p> <p>According to the ADA, when a lift or ramp is discovered to be inoperative, the transit agency must take the vehicle out of service before the beginning of the vehicle's next service day and ensure that the lift or ramp is repaired before the vehicle returns to service. The transit agency may not put a bus with a broken lift or ramp into service on any bus route. This prohibition applies regardless of whether or not the route is designated as an accessible route.</p> <p>If there is no other vehicle to replace the one with the broken lift or ramp, and if taking the vehicle out of service would reduce the transportation service available to the general public, the transit agency may keep the vehicle in service with an inoperable lift or ramp for no more than five days (if the transit agency serves an area of 50,000 or fewer population) or three days (if the transit agency serves an area of over 50,000 population) from the day on which the lift or ramp is discovered to be inoperative. After this time, vehicles with inoperable lifts or ramps may not be kept in service, even if there are no spare vehicles. (Disability Rights Education & Defense Fund: Topic Guides on ADA Transportation http://dredf.org/ADAtg/maint.shtml)</p>
Documentation Required
Yes. Include available documentation of said policy.

Question 4.106
Does the agency allow buses with inoperable lifts to be assigned to route service?
Acceptable Response
Vehicles with inoperable lifts will only be operated in the event there are no other vehicles to be replaced with.
Guidance or Regulation
<p>If there is no other vehicle to replace the one with the broken lift or ramp, and if taking the vehicle out of service would reduce the transportation service available to the general public, the transit agency may keep the vehicle in service with an inoperable lift or ramp for no more than five days (if the transit agency serves an area of 50,000 or fewer population) or three days (if the transit agency serves an area of over 50,000 population) from the day on which the lift or ramp is discovered to be inoperative. After this time, vehicles with inoperable lifts or ramps may not be kept in service, even if there are no spare vehicles. (Disability Rights Education & Defense Fund: Topic Guides on ADA Transportation http://dredf.org/ADAtg/maint.shtml)</p>
Documentation Required
Yes. Include available documentation of said policy.

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Question 4.107
How long might the agency allow a vehicle with a non-functioning lift to be assigned for route service?
Acceptable Response
No more than five days (if the transit agency serves an area of 50,000 or fewer population) or three days (if the transit agency serves an area of over 50,000 population) from the day on which the lift or ramp is discovered to be inoperative. After this time, vehicles with inoperable lifts or ramps may not be kept in service, even if there are no spare vehicles.
Guidance or Regulation
If there is no other vehicle to replace the one with the broken lift or ramp, and if taking the vehicle out of service would reduce the transportation service available to the general public, the transit agency may keep the vehicle in service with an inoperable lift or ramp for no more than five days (if the transit agency serves an area of 50,000 or fewer population) or three days (if the transit agency serves an area of over 50,000 population) from the day on which the lift or ramp is discovered to be inoperative. After this time, vehicles with inoperable lifts or ramps may not be kept in service, even if there are no spare vehicles. (Disability Rights Education & Defense Fund: Topic Guides on ADA Transportation http://dredf.org/ADAatg/maint.shtml)
Documentation Required
Yes. Include available documentation of said policy.

Question 4.108
Does the agency have passenger shelters, and if so, how many?
Acceptable Response
Agency shall answer reviewers question to the best of their ability.
Guidance or Regulation
Per KDOT.
Documentation Required
Not required, but ask if documentation is available.

Question 4.109

Are all passenger shelters accessible to wheelchairs? (Accessible pathway /interior space)
If not, how many are not?

Acceptable Response

Agency shall verbally confirm this is true for all shelters. Reviewer shall go to a few select shelters to confirm their accessibility.

Guidance or Regulation

Transit agencies usually have control over bus shelters. Section 810.3 of the DOT Standards specifies that the minimum clear floor or ground space (as set forth in Section 305) must be entirely within the shelter to accommodate individuals using wheelchairs and must be connected to an accessible route that complies with Section 402 to the boarding and alighting area.
(ADAD FTA C 4710.1 Chapter 3 Transportation Facilities, Page 3-4)

305 Clear Floor or Ground Space

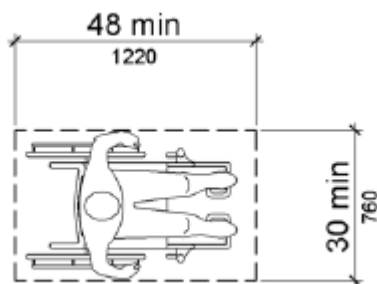
305.1 General. Clear floor or ground space shall comply with 305.

305.2 Floor or Ground Surfaces. Floor or ground surfaces of a clear floor or ground space shall comply with 302. Changes in level are not permitted.

EXCEPTION: Slopes not steeper than 1:48 shall be permitted.

305.3 Size. The clear floor or ground space shall be 30 inches (760 mm) minimum by 48 inches (1220 mm) minimum.

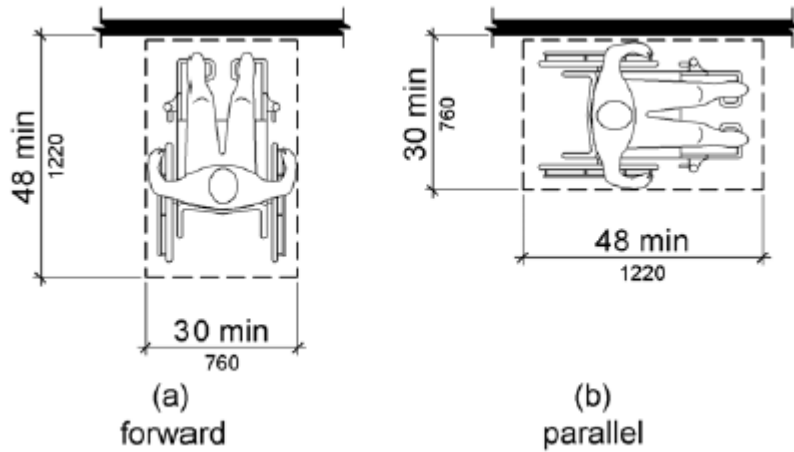
Figure 305.3 Clear Floor or Ground Space



305.4 Knee and Toe Clearance. Unless otherwise specified, clear floor or ground space shall be permitted to include knee and toe clearance complying with 306.

305.5 Position. Unless otherwise specified, clear floor or ground space shall be positioned for either forward or parallel approach to an element.

Figure 305.5 Position of Clear Floor or Ground Space

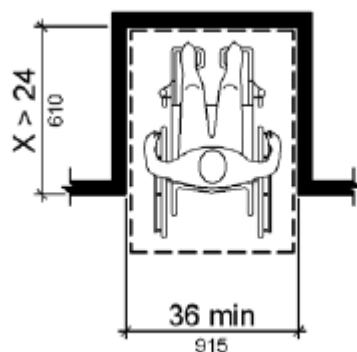


305.6 Approach. One full unobstructed side of the clear floor or ground space shall adjoin an *accessible* route or adjoin another clear floor or ground space.

305.7 Maneuvering Clearance. Where a clear floor or ground space is located in an alcove or otherwise confined on all or part of three sides, additional maneuvering clearance shall be provided in accordance with 305.7.1 and 305.7.2.

305.7.1 Forward Approach. Alcoves shall be 36 inches (915 mm) wide minimum where the depth exceeds 24 inches (610 mm).

Figure 305.7.1 Maneuvering Clearance in an Alcove, Forward Approach



(United States Access Board: ADA Standards for Transportation Facilities – Chapter 3 Building Blocks, <https://www.access-board.gov/guidelines-and-standards/transportation/facilities/ada-standards-for-transportation-facilities/chapter-3-building-blocks#305%20Clear%20Floor%20or%20Ground%20Space>)

402 Accessible Routes

402.1 General. Accessible routes shall comply with 402.

402.2 Components. Accessible routes shall consist of one or more of the following components: walking surfaces with a running slope not steeper than 1:20, doorways, ramps, curb ramps excluding the flared sides, elevators, and platform lifts. All components of an accessible route shall comply with the applicable requirements of Chapter 4.

Advisory 402.2 Components. Walking surfaces must have running slopes not steeper than 1:20, see 403.3. Other components of accessible routes, such as ramps (405) and curb ramps (406), are permitted to be more steeply sloped.

(United States Access Board: ADA Standards for Transportation Facilities – Chapter 4 Accessible Routes <https://www.access-board.gov/guidelines-and-standards/transportation/facilities/ada-standards-for-transportation-facilities/chapter-4-accessible-routes#402%20Accessible%20Routes>)

Documentation Required

Agency is not required to provide documentation. Reviewer shall document any instances of inaccessible shelters in the service area.

<p>Question 4.110</p> <p>Does the agency provide complementary paratransit service comparable to the fixed route service? Comparable elements include: paratransit's geographic area of service, response time, fare, hours and days of service and trip purpose.</p>
<p>Acceptable Response</p> <p>The agency should provide documentation of their complementary paratransit services offered. The described services should be comparable to the available fixed route options.</p>
<p>Guidance or Regulation</p> <p>If your system includes fixed route service, you are required to provide complementary paratransit service to your customers who are unable to use the fixed route system.</p> <p>“ADA complementary paratransit service must be comparable to the fixed route service in a number of areas. Paratransit service criteria include the following (Section 37.131):</p> <p><u>Geographic area of service</u> – transit systems that run fixed routes must also provide ADA complementary paratransit service within ¼ mile on either side of the fixed route; this is the maximum distance a rider would travel to reach a bus or train stop.</p> <p><u>Response time</u> –the paratransit ride may not be provided more than an hour before or after the requested time.</p> <p><u>Fare</u>- the one-way paratransit fare may be no more than twice the full fixed route fare for a similar trip. A rider's personal care attendant may not be charged a fare. However, at least one additional accompanying individual must be permitted to board and will be required to pay the same fare as the rider (additional companions may accompany the ADA-eligible customer, if space is available).</p> <p><u>Hours and days of service</u>—ADA paratransit service must be provided on the same days and during the same hours as fixed route service.</p> <p><u>Trip purpose</u>—there may be no restrictions or priorities based on trip purpose. Service must be provided regardless of the nature of the trip”. (KDOT Policy Manual – Office of Public Transportation, 2018, page 27)</p>
<p>Documentation Required</p> <p>Yes. Include available documentation explaining services.</p>

<p>Question 4.111 Does the agency provide Origin-to-Destination service when necessary?</p>
<p>Acceptable Response The agency should provide documentation they provide Origin-to-Destination services when necessary.</p>
<p>Guidance or Regulation “Under Section 37.129, you are required to provide complementary paratransit service that is “origin-to-destination.” As a transit provider, you can establish whether you will provide door-to-door or curb-to-curb service as your basic mode of paratransit service, but there may be times when you must offer service beyond this base level when required due to a passenger’s disability. FTA, in its Disability Law Guidance document, gives the following examples of when “origin-to-destination” service might be necessary: - The nature of an individual’s disability or adverse weather conditions may prevent them from negotiating the distance from the door of his/her home to the curb. - A physical barrier (e.g., sidewalk construction) may prevent a passenger from traveling between the curb and the door of their destination point. Providing this level of service may require more time from the driver than on a base-level service stop, and because of this the FTA has deemed it reasonable that transit providers ask for advance notice from any passenger in need of this assistance when the reason for the additional assistance is known in advance of the trip.” (KDOT Policy Manual – Office of Public Transportation, 2018, page 28)</p>
<p>Documentation Required Yes. Include available documentation of said policy.</p>

SECTION 5: Procurement

Question 5.01
Has the agency adopted a written code of ethics or standard of conduct to govern the activities of employees, board members, or agents involved in procurements financed with FTA funds?
Acceptable Response
Yes. Provided they have a code of ethics or standard of conduct.
Guidance or Regulation
-All transit service providers must follow the FTA procurement requirements or KDOT procurement requirements (whichever is more stringent) to ensure competitive procurement. Local procurement policies or regulations may be used as long as they meet or exceed federal or state requirements. (KDOT Policy Manual – Office of Public Transportation, 2018, page 14) -“ <u>Written Standards of Conduct</u> The Common Grant Rules require each recipient to maintain written standards of conduct governing the performance of its employees engaged in the award and administration of contracts.” (Third Party Contracting Guidance, Chapter 3 The Recipient’s Responsibilities, 2009, page 25)
Documentation Required
Yes. Include available documentation. Does not have to specify FTA funds in standards.

Question 5.02
Does the agency’s code of ethics standard of conduct detail sanctions or disciplinary actions that shall be taken for violations?
Acceptable Response
Yes. Responses vary between agencies.
Guidance or Regulation
“ <u>Violations</u> . To the extent permitted by State or local law or regulations, such standards of conduct will provide for penalties, sanctions, or other disciplinary action for violation of such standards by the recipient’s officers, employees, agents, board members, or by contractors or sub-recipients or their agents.” (Third Party Contracting Guidance, Chapter 3 The Recipient’s Responsibilities, 2009, page 25)
Documentation Required
Yes. Include available documentation. Does not have to specify FTA funds in standards.

Question 5.03
Is the agency's code of ethics standard of conduct explicit with regard to how potential personal conflicts of interest are to be reported (by whom/to whom) and how the situation will be resolved?
Acceptable Response
Yes. Responses vary between agencies.
Guidance or Regulation
<u>Personal Conflicts of Interest</u> . As provided in the Common Grant Rules and the Federal Transit Administration (FTA) Master Agreement, no employee, officer, agent, or board member, or his or her immediate family member, partner, or organization that employs or is about to employ any of the foregoing may participate in the selection, award, or administration of a contract supported with FTA assistance if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of those previously listed has a financial or other interest in the firm selected for award. (Third Party Contracting Guidance, Chapter 3 The Recipient's Responsibilities, 2009, page 25)
Documentation Required
Yes. Include available documentation. Does not have to specify FTA funds in standards.

Question 5.04
Have any items charged to the public transit program over the past three years been purchased from businesses owned by board or staff members of the agency or by members of their families? If so, please explain how a conflict of interest was avoided.
Acceptable Response
Responses vary between agencies.
Guidance or Regulation
<u>Personal Conflicts of Interest</u> . As provided in the Common Grant Rules and the Federal Transit Administration (FTA) Master Agreement, no employee, officer, agent, or board member, or his or her immediate family member, partner, or organization that employs or is about to employ any of the foregoing may participate in the selection, award, or administration of a contract supported with FTA assistance if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of those previously listed has a financial or other interest in the firm selected for award. (Third Party Contracting Guidance, Chapter 3 The Recipient's Responsibilities, 2009, page 25)
Documentation Required
N/A

Question 5.05

<p>Does the agency maintain a record of the history of each procurement charged to the transit program? If so what information is recorded? How long is the information retained?</p>
<p>Acceptable Response</p> <p>Responses vary between agencies.</p>
<p>Guidance or Regulation</p> <p>Fiscal Record Retention: All fiscal records of the provider agency must be kept of file for five years (life of vehicle + 5 years for capital projects). Electronic copies (scanned or copied to disc with backup) of all fiscal records are allowed. (KDOT Policy Manual – Office of Public Transportation, 2018, page 64 and 69)</p>
<p>Documentation Required</p> <p>Yes. Include available documentation.</p>

SECTION 6: Maintenance

Question 6.01
Does the agency have written maintenance plans for FTA funded transit facilities and equipment? How often are the plans reviewed and updated?
Acceptable Response
Yes. A written plan should include the details indicated below.
Guidance or Regulation
The grantee is required to have a written vehicle maintenance plan and facility/equipment maintenance plan. These plans should describe a system of periodic inspections and preventative maintenance to be performed annually and submitted to KDOT as a part of the agency's grant application. A copy of the Annual Building Inspection Checklist can be found on the KDOT website. The grantee must also provide adequate insurance on the facility. (KDOT Policy Manual – Office of Public Transportation, 2018, page 33)
Documentation Required
Yes. Include available documentation.

Question 6.02
Does the maintenance program prescribe a recordkeeping system so that the maintenance history of facility and equipment is permanently recorded?
Acceptable Response
Yes. There should be system to keep track of the maintenance history.
Guidance or Regulation
Same guidance for Question 6.01.
Documentation Required
Yes. Include available documentation.

Question 6.03
Are there maintenance records for each vehicle available for review?
Acceptable Response
Yes. They should be recorded in a KDOT issued log book or in a binder specific to the vehicle.
Guidance or Regulation
“All transit services providers are required to document maintenance and repairs made to the vehicle in the KDOT vehicle maintenance book (KDOT Form 314: Equipment Manual). Maintenance books are mailed to each provider when a new vehicle is delivered as a part of the delivery package. Maintenance books must be available for review and use by the KDOT District/Area Inspector when they complete the annual vehicle inspection. KDOT will monitor all vehicle maintenance and will review all documentation at the triennial review.” (KDOT Policy Manual – Office of Public Transportation, 2018, page 53)
Documentation Required
Yes. Include available documentation.

Question 6.04 Are the vehicle records identified by the VIN number?
Acceptable Response Yes. Confirm the vin number is available in the records.
Guidance or Regulation Same guidance for Question 6.01. However, the VIN number requirement is not stated.
Documentation Required Yes. Include available documentation.

Question 6.05 Does the agency have written preventative maintenance plans for FTA-funded vehicles?
Acceptable Response Yes. Acceptable preventative maintenance plans include copies from the maintenance section of the vehicle owners manual, separately written documents or spreadsheets identifying preventative maintenance, or reports from commercially-available vehicle maintenance software that some agencies may use. Regardless of what form they take, the maintenance schedule in the plans should conform to the manufacturers recommended maintenance schedule specific to the year, make, and model of each vehicle.
Guidance or Regulation The grantee is required to have a written vehicle maintenance plan and facility/equipment maintenance plan. These plans should describe a system of periodic inspections and preventative maintenance to be performed annually and submitted to KDOT as a part of the agency's grant application. (KDOT Policy Manual – Office of Public Transportation, 2018, page 33)
Documentation Required Yes. Include available documentation.

Question 6.06
Do the preventative maintenance schedules in the plan meet the minimums required by the manufacturer or supplier?
Acceptable Response
Yes. There should be proof the manufacturer’s requirements are coordinated with the maintenance done on the vehicle.
Guidance or Regulation
-Transportation service providers are required to follow all OEM (vehicle manufacturer) maintenance requirements. (KDOT Policy Manual – Office of Public Transportation, 2018, page 53)
-“All lifts must be properly maintained and scheduled for maintenance according to the lift manufacturer’s requirements. Agencies that have lift equipped vehicles that do not follow lift maintenance requirements may forfeit all KDOT funding if their vehicles are not properly maintained.” (KDOT Policy Manual – Office of Public Transportation, 2018, page 55)
- Provide records of the previous eight to ten oil changes for two or three KDOT vehicles. A minimum of 90 percent of the performed oil changes is required to be made according to the manufacturer’s recommended mileage interval. Oil changes should be made no earlier than 500 miles before the manufacturer recommended mileage requirement. (Per KDOT guidance.)
- If the user’s manual recommends changing the oil when the light comes on, please include the statement below in the agency’s maintenance plan: “The OEM for this vehicle recommends that the oil is changed when the oil light comes on. To comply with FTA guidance, we have established that the interval between oil changes for this vehicle will be every _____ miles. Should the Oil Change light come on at any time between scheduled oil changes every _____ miles, the vehicle will be checked to see if an additional oil change is necessary, and if it is, we will change the oil. All oil changes should be documented in the maintenance log.” (Per KDOT staff)
Documentation Required
Yes. Include available documentation.

Question 6.07
Is preventative maintenance being done as scheduled? If not, why?
Acceptable Response
Yes.
Guidance or Regulation
“The consultants acting on KDOT’s behalf have the authority to inspect the transit vehicle(s), check for all required safety items to be included in the vehicle(s), check the vehicle specific maintenance records of the agency (as well as compare these records to the preventative maintenance policies & procedures) and do a ride along to interview the driver and one or two passenger(s). (KDOT Policy Manual – Office of Public Transportation, 2018, page 71)
Documentation Required
Yes. Provide a maintenance plan with a corresponding maintenance record.

Question 6.08

Are the titles for FTA funded vehicles in the name of the sub-recipient/applicant?
Acceptable Response
Yes. This will be confirmed prior to the site visit.
Guidance or Regulation
Per KDOT.
Documentation Required
Yes. Copies of titles or registration (before site visit)

Question 6.09
Are there written records indicating that pre-trip, mid-day driver changes, post-trip and weekly inspections are completed?
Acceptable Response
The agency should have official KDOT forms to fill out for all trip inspections. An example of one vehicle's inspections is necessary.
Guidance or Regulation
<p>"An inspection form is required to be completed each day before the vehicle is put into service. Regular inspections help assure the KDOT funded vehicles are safe to operate, being well maintained, and in good condition. The inspection form was recently updated to incorporate pre-trip, mid-day driver changes, post-trip, and weekly inspections. A blank copy is shown on the next two pages. Transit agencies may have developed a more robust inspection for use, which is allowed, so long as the agency's form includes all items that are on the KDOT inspection form."</p> <p>"The inspection form must be signed by the driver completing each phase of the inspection, the mechanic, if repairs are needed, and the driver's supervisor. Inspection forms are to be kept for 90 days, unless associated with an incident/accident, in which case the agency should be stapled to the accident report form(s) and kept on file. Forms will be verified at the triennial on site review." (KDOT Policy Manual – Office of Public Transportation, 2018, page 50)</p>
Documentation Required
Yes. Include available documentation.

Question 6.10

Have all drivers been trained to use the wheelchair lifts/ramps and the wheelchair securement system(s)?
Acceptable Response
Yes. The agency should have a training log in place tracking each driver’s training history. Details for each training should include the driver name, training date, training renewal/expiration date, and certification type.
Guidance or Regulation
“ <u>Driver’s Training</u> : Driver’s Training is held throughout the year and is offered at various locations statewide. Training topics include such issues as defensive driving, conducting pre-trip inspections, transporting passengers with special needs, how to deal with difficult passengers, safety & security, emergency planning etc. All drivers, including volunteers or other agency staff, that operate vehicles funded by the KDOT Office of Public Transportation programs must attend the approved RTAP Driver’s Training every other year.” (KDOT Policy Manual – Office of Public Transportation, 2018, page 41)
Documentation Required
Yes. Include available documentation.

Question 6.11
Is there documentation that the drivers or mechanics cycle the lifts each day prior to the vehicle being placed in service?
Acceptable Response
Yes. The recording of this activity should be one of the items listed in the pre-trip inspection checklist.
Guidance or Regulation
“An inspection form is required to be completed each day before the vehicle is put into service. Regular inspections help assure the KDOT funded vehicles are safe to operate, being well maintained, and in good condition. The inspection form was recently updated to incorporate pre-trip, mid-day driver changes, post-trip, and weekly inspections.” (KDOT Policy Manual – Office of Public Transportation, 2018, page 50)
Documentation Required
Yes. Include available documentation.

Question 6.12

Is all work required by manufacturer’s warranty provisions being performed? If not, why?
Acceptable Response
Yes.
Guidance or Regulation
“Agencies should check to see if necessary repair/maintenance work is eligible under their vehicle’s warranty before taking it in for service. This is especially true on certain components of the vehicles that we procure, which often have longer warranty coverage periods than are standard. Vehicles provided under KDOT programs are required to meet certain federal and state procurement and safety standards under the guidance of the Federal Transit Administration, the KCTDC, and KDOT.” (KDOT Policy Manual – Office of Public Transportation, 2018, page 54)
Documentation Required
Yes. Include available documentation.

Question 6.13
Is any FTA funded equipment under warranty and if so what is the process for recovering warranty claims?
Acceptable Response
The agency should have a plan for recovering warranties.
Guidance or Regulation
“Agencies should check to see if necessary repair/maintenance work is eligible under their vehicle’s warranty before taking it in for service. This is especially true on certain components of the vehicles that we procure, which often have longer warranty coverage periods than are standard. Vehicles provided under KDOT programs are required to meet certain federal and state procurement and safety standards under the guidance of the Federal Transit Administration, the KCTDC, and KDOT.” (KDOT Policy Manual – Office of Public Transportation, 2018, page 54)
Documentation Required
Yes. Provide a written description of the process.

Question 6.14
Does the agency have vehicles which are currently out of service due to mechanical problems or damage? (If no, go to Question 6.16)
Acceptable Response
Yes or No.
Guidance or Regulation
Per KDOT.
Documentation Required
N/A

Question 6.15

How long have they been out of service?
Acceptable Response
Responses vary between agencies. Agencies will be asked when vehicles are expected to return to service, or for further explanation of vehicles out of service for extended periods of time.
Guidance or Regulation
Per KDOT.
Documentation Required
N/A

Question 6.16
Does the agency have an annual record of the miles travelled for federally-funded vehicles? If the agency has any federally-funded vehicle(s) that traveled less than 2,500 miles last year, provide a utilization plan for the vehicle(s).
Acceptable Response
Responses vary between agencies. All vehicles must travel at least 2,500 miles.
Guidance or Regulation
The minimum use of a transit vehicle is 2,500 miles per year. KDOT will monitor the usage of vehicles. If the vehicle is not being used to meet the required KDOT standards, KDOT will contact the agency requiring the establishment a utilization plan. If a utilization plan cannot be established the useful life formula for the transfer of the vehicle will be completed by KDOT and the provider will be notified the vehicle will be transferred. If the transfer of the vehicle is required, the agency that is forfeiting the vehicle must put in writing a list of the items on the van that are damaged or need repaired and provide that list to KDOT. (KDOT Policy Manual – Office of Public Transportation, 2018, page 26)
Documentation Required
Yes. Include available documentation. (before site visit)

Question 6.17
Is the agency aware of how to dispose of a FTA-funded vehicle?
Acceptable Response
Responses vary between agencies. If they are not aware of how to dispose of the vehicle, they can contact KDOT when they are ready to dispose of the vehicle.
Guidance or Regulation
Per KDOT.
Documentation
N/A

Question 6.18

Where does the agency store FTA-funded vehicles? What amount of storage costs were requested for the most recent fiscal year?
Acceptable Response
The agency should verbally confirm the storage location of their KDOT vehicle fleet. If the agency has requested storage costs for reimbursement, those should be documented in the financial ledger.
Guidance or Regulation
“Vehicle storage locations will be verified at the triennial on-site review. Information on the location of the storage facility and the amount of storage costs claimed will be included in the verification. Vehicles may not be parked at private residences for extended periods of time (overnight parking or during lunches and breaks).” (KDOT Policy Manual – Office of Public Transportation, 2018, page 19)
Documentation
Yes. Include available documentation for any requested storage costs.

SECTION 7: Safety and Security

Question 7.01
Does the agency have a written safety plan for the agency?
Acceptable Response
If they do not have a safety plan, this will not be a finding. The agency will need to coordinate with KDOT once the FTA finalizes the National Public Transportation Safety Plan.
Guidance or Regulation
The FTA Transit Bus Safety & Security Program is a program for transit providers to access for guidance in developing safety and security plans for their programs. The website can be accessed by going to http://bussafety.fta.dot.gov for further guidance on emergency planning. (KDOT Policy Manual – Office of Public Transportation, 2018, page 65)
Documentation Required
Yes. Include available documentation.

Question 7.02
Does the agency have a written security and emergency management plan? (If no, skip Question 8.03.)
Acceptable Response
The agency must have the proper emergency contact and vehicle information available. This information is included in the grant application. More guidance can be given if needed.
Guidance or Regulation
“Agencies receiving 5310, 5311 and/or 5339 funding are required to complete the after-hours contact information form for KDOT...In the case of a declared national, state or local emergency this information will be used to contact service providers that may be called out to evacuate residents of a disaster area.” (KDOT Policy Manual – Office of Public Transportation, 2018, page 65)
Documentation Required
Yes. Provide a copy of the emergency contact information.

Question 7.03
Is the emergency management plan coordinated with local agencies?
Acceptable Response
Yes. Confirm the information has been forwarded to local agencies.
Guidance or Regulation
“Agencies receiving 5310, 5311 and/or 5339 funding are required to complete the after-hours contact information form for KDOT...In the case of a declared national, state or local emergency this information will be used to contact service providers that may be called out to evacuate residents of a disaster area.” (KDOT Policy Manual – Office of Public Transportation, 2018, page 65)
Documentation Required
N/A

<p>Question 7.04</p> <p>Does the agency currently have any child safety seats available for the KDOT vehicles? If so, how many?</p>
<p>Acceptable Response</p> <p>The agency must confirm they have the proper number of child safety seats and booster seats. Refer to the prescribed ratio in the guidance below.</p>
<p>Guidance or Regulation</p> <p>“The KDOT guidelines for child safety and booster seats are that for every five (5) vehicles in the fleet - one child safety seat and one booster seat will be required, unless the vehicle being operated has built-in child safety seats. KDOT will verify that the transit agency has child safety seats and booster seats at the triennial on-site review.” (KDOT Policy Manual – Office of Public Transportation, 2018, page 31)</p> <p>Ready access to child safety seats are required for all KDOT program participants. While we understand their point of view, we are trying to ensure that our statewide fleet can be called into service in case of disaster/emergency as well. Additionally, 5310 covers Elderly & Persons with Disabilities, regardless of their age. Please request one of two things to fulfill this program requirement: Either they have the seats themselves, or they have a written MOU with another agency in their area (County, YMCA, etc.) to have access to child seats if the need should arise. (KDOT staff_2017-01-13)</p> <p>MOU for sharing child booster / safety seats cannot be with another 5311 or 5310 agency (per KDOT staff).</p>
<p>Documentation Required</p> <p>N/A</p>