

HANDITRAN

POLICIES & PROCEDURES

**A TRANSPORTATION SERVICE FOR
PERSONS WITH DISABILITIES AND PERSONS AGED 65 AND OLDER**

HANDITRAN

TRANSPORTATION DEPARTMENT

**ADOPTED BY RESOLUTION OF THE
ARLINGTON CITY COUNCIL – SEPTEMBER 26, 2023**

HANDITRAN POLICIES AND PROCEDURES

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HANDITRAN POLICIES AND PROCEDURES

I. GENERAL

A. Mission

To plan and operate a shared ride transportation system for senior citizens and citizens with disabilities. The system will be designed and operated in a way that emphasizes safety, good customer service and the efficient use of resources.

B. Policy

It is the policy of the City of Arlington, Texas, that no otherwise qualified person shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity undertaken by the City of Arlington.

C. Goals and Objectives

The goals and objectives of Handitran are:

1. To provide shared ride transportation services by utilizing directly operated and/or contracted vehicles designed to accommodate citizens of Arlington and any other jurisdiction with which the City of Arlington may enter a contract.
2. To maintain and manage a trained staff for the operation and management of the system.
3. To develop policies and procedures that:
 - a. serve as the foundation of a cost-effective transportation service;
 - b. provide for good customer service within the framework of a shared ride transportation service;
 - c. mitigate and manage risk associated with the system; and
 - d. follow federal and state guidelines.
4. To obtain and manage grant funds to supplement local funding.

II. ADMINISTRATION

A. General

Handitran shall maintain an adequate staff to successfully operate Handitran. Other city departments will provide administrative and technical support as needed.

B. Transportation Department

1. Purpose

The Transportation Director shall advise the Arlington City Council and Handitran staff on special transportation services provided by the Handitran service. This action will aid the mission of maintaining an efficient and effective transportation system for those citizens of Arlington who are over 65 years of age or disabled. Decisions are to be based on achieving the greatest long-term quality of service for all users of the special transit system.

2. Responsibilities

To carry out the charge of advising the City Council, the Transportation Director is given these responsibilities:

- a. To review Handitran performance statistics and to recommend performance goals to staff.
- b. To review the Handitran fare structure and make recommendations on fare amounts and payment options to staff and Council.
- c. To review and make recommendations to the City Council and staff regarding the following service policies:
 - Passenger eligibility and application process
 - Service types
 - Requesting service
 - Riding Handitran
 - Special circumstances
 - Service suspensions and terminations
- d. To make procedural recommendations to the Handitran staff on implementing and enforcing policies.
- e. To assist staff in the identification and elimination of possible barriers to the usage of the Handitran service by eligible users.
- f. To review and decide appeals for eligibility of passengers to use the system.
- g. To provide periodic reports to the City Council.

III. OPERATIONS

A. General

The following operating Policies and Procedures for Handitran are supplementary to and consistent with basic City Policies and Procedures.

Handitran shall operate a fleet of city-owned and/or contracted vehicles as approved by the City Council, including maintaining access to back-up vehicles to minimize service disruption.

B. Service Area

The Handitran general service area includes the city limits of the City of Arlington. Handitran also provides trips, for any purpose, to the Trinity Railway Express train stations at Hurst/Bell and Centreport.

Passengers will also be transported for medical and social service purposes only up to 1.5 miles beyond the city limits. These medical and social service trips must originate within the Handitran service area.

C. Hours

Vehicles shall be operational from 7:00 a.m. to 10:00 p.m., Monday through Friday, and from 8:00 a.m. to 9:00 p.m. on Saturday.

Office hours for phone scheduling are Monday through Friday, from 8:00 a.m. to 4:30 p.m.

Service is not offered on Sundays or on the following holidays observed by the City of Arlington and during which many City offices are closed.

New Year's Day	Independence Day
Martin Luther King's Birthday	Labor Day
President's Day	Thanksgiving
Good Friday	Thanksgiving Friday
Memorial Day	Christmas Eve Day
Juneteenth	Christmas Day

D. Fare Structure

1. Fares

The Handitran fare is \$2.00 per eligible passenger per one-way trip.

2. Fare Payment Options

Passengers may choose to pay fares by cash, check, money order, credit card or pre-paid credit card. Cash and check payments must be in the

exact amount of the fare as drivers shall carry no change.

Ride passes may be purchased for \$55.00 each and may be used by all eligible passengers. A ride pass is good for thirty (30) days from the date of the first ride and offers unlimited rides during that timeframe. Ride passes are tracked electronically in each rider's account. No physical pass is needed. Monthly passes are non-transferable and may be revoked if misused. The passenger shall not loan, sell, give, or allow the use of his/her monthly pass by another person.

Riders must provide payment to board the vehicle. Riders who do not pay for their trip will be unable to take that scheduled ride.

Handitran passengers who are also City of Arlington volunteers may ride free of charge for trips between their home and their City volunteer work location.

3. Fares for Escorts and Personal Care Attendants (PCA)

Each passenger is allowed up to two (2) escorts to travel with him/her at an additional cost of one fare each. Escorts will be scheduled on a space-available basis. Personal care attendants, as outlined in Section IV(E)(5), are not required to pay a fare.

4. Reimbursement

No reimbursements will be made for passes or application fees without approval from the Transit Operations Supervisor.

5. Returned Checks

Non-sufficient funds (NSF) checks are returned by the banking institution to the City of Arlington Finance Department. NSF checks are held by the Finance Department and not returned to Handitran. Payment for NSF checks is made at the Finance Department and applicable City of Arlington returned check fees shall apply.

When an NSF check is returned to the City of Arlington Finance Department, Handitran is notified. Handitran will send a letter to the passenger requesting payment of the NSF check plus applicable fees. The letter will indicate when payment is due and contact information for the Finance Department.

If payment is not received by the Finance Department by the due date stated in the letter, Handitran service will be suspended until payment is made.

6. Cash Handling

Handitran staff receiving, counting, and handling cash will follow standard operating procedures in accordance with the City of Arlington Cash Handling Policy.

E. Fare and/or Service Changes

In accordance with Federal Transit Administration guidelines, an opportunity for public comment will be offered prior to:

- An increase in the basic fare structure; and
- A major reduction in service hours (20% or more)

The opportunity for a public comment will take place through a public hearing which will be called for and held by the City Council. A notice advertising the public hearing shall be published and kept on file in the Transportation Department. Public participation shall be documented by keeping public notices, public hearing transcripts, letters from the public, summaries of public meetings, and/or minutes on file by the City of Arlington.

F. Inclement Weather

If City of Arlington offices are closed due to inclement weather, Handitran will also be closed and the schedule for the day cancelled. The media will be notified in the event of complete closure. If City of Arlington offices remain open but inclement weather exists, the schedule may be cancelled according to the Transportation Director or his/her designee. Employees are to report to work and shall attempt to contact any scheduled passengers at the telephone numbers listed in the client file.

G. Emergency Situations

In the event of emergency, Handitran operations may be disrupted to assist with emergency operations and/or evacuations as deemed necessary by City of Arlington Office of Emergency Management. The Handitran Emergency Response Plan outlines guidelines for Handitran's role in emergency situations and standard operating procedures.

IV. APPLICATION, ELIGIBILITY AND USE

A. Passenger Eligibility and Application

1. General Eligibility

To be eligible for service, an individual must be either a senior citizen or "transportation" disabled.

Senior citizens are defined as persons 65 years of age or older.

Transportation disabled is defined as a person who because of a functional limitation (caused by either a physical, medical, or mental condition) cannot independently operate a motorized vehicle either on a permanent or temporary basis.

Such functional limitations include:

- Loss of sight,
- Lack of or loss of muscle control,
- Inability to use his/her arms to turn a steering wheel or exert any amount of force,
- Inability to use his/her legs,
- Inability to turn his/her head, or
- Seizures

Due to functional limitations, a person is considered transportation disabled and qualifies for Handitran service because he/she:

- requires the use of a wheelchair lift to enter a vehicle,
- cannot independently navigate a city street system, or
- cannot travel independently to or from their destination.

Transportation disabled does not include financial limitations (not being able to afford a vehicle), the inability to obtain or the lack of a driver's license.

Individuals who, in the past, have displayed or who presently display tendencies toward violent or destructive behavior and/or who might pose a direct threat to the health or safety to themselves, the driver or other passengers during transit will be ineligible for the Handitran service. The past or present tendency toward violent or destructive behavior will be determined by the physician completing the Handitran Service Application.

2. Determination of Eligibility

To determine eligibility for a citizen aged 65 years or older, proof of age is required. Proof can be any picture identification that states the age or birthdate of the person. These include a driver's license, state identification card or other government agency card stating the person's age or birthdate. Other acceptable proof age forms include birth certificates or verification from another government agency or medical facility.

To determine eligibility for individuals with a transportation disability, a doctor's certification of a disability that prohibits he/she from driving is required. Certifications of a disability by nursing, counseling or other caregiving professionals will not be accepted. Certifications of eligibility may be approved on a permanent or temporary basis. Only a certification (permanent or temporary) from a medical doctor or doctor

of osteopathy will be accepted.

If there are any questions about a specific disability, the applicant may be asked to see a specialist for further clarification. The Transit Operations Supervisor shall reserve the option to utilize a medical consultant to review applications to clarify questions regarding physical, mental, behavioral, emotional, or psychological conditions of the applicant.

Handitran may require further verification of any or all information provided on the service application, including age or disability information. In such cases, Handitran staff will contact the certifying doctor directly to verify and/or clarify information on the application.

Temporary eligibility may be approved for individuals who meet the eligibility requirements who qualify as non-permanently disabled.

If the applicant is found to be ineligible, the applicant may appeal by following the procedure established in Section V. Appeal Procedure.

3. Application Process

The applicant shall submit to the Handitran office the completed Handitran Service Application with certification of age and/or disability and \$10.00 application fee.

Applications for passengers 17 years of age or older must be signed by the applicant for which service is being requested. If the applicant is 16 years of age or younger, a parent or legal guardian can sign the application. If a person other than the applicant submits an application for a person who is 17 years of age or older, that person must also submit proof of guardianship, power of attorney, or conservatorship for the applicant.

Each passenger must pay a \$10.00 application fee upon submittal of an application for Handitran service. The \$10.00 application fee does not guarantee availability of rides. If the applicant is not eligible for Handitran service, the \$10.00 application fee will be returned to the applicant. If the applicant is eligible for Handitran service and after his/her information is entered into the computer system, the \$10.00 application fee will not be refunded.

If the application is approved, the applicant shall be notified by mail or email (if provided by the applicant) and issued an identification number. The applicant is then immediately eligible to request the Handitran service.

All passenger information will be kept confidential by the Handitran staff unless release is required by law or court order.

It is the responsibility of the passenger to update the Handitran Service Application as information changes or circumstances require.

4. General Passenger Condition

All passengers must be able to sit upright in a vehicle seat or wheelchair in order to be transported.

Any passenger may be denied service if his/her condition is such that the passenger is incoherent or requires medical attention while in transit to sustain life. Handitran is to be considered a "common carrier" and does not perform ambulance or emergency service.

Passengers in wheelchairs must have the proper equipment necessary to keep them safely in the wheelchair. This includes, but is not limited to, lap belts, footrests with toe or heel straps, and brakes in working order. Handitran may refuse service to a passenger who does not have necessary equipment to safely transport them, or if the equipment is not in good working order.

A passenger who requires medical care during transit due to an unstable condition may not be eligible for service during this period of instability. Handitran service should not be substituted for emergency medical transportation services.

If a passenger's physical or mental condition or conduct is reasonably believed by the driver to be a health and/or safety hazard, or if a passenger possesses instruments or equipment which are reasonably believed to be dangerous, service may be denied or may be terminated immediately. Notice of the termination and the opportunity to appeal will be provided to the passenger as soon as reasonably possible. If determined by the driver, police assistance will be obtained to subdue or remove a passenger.

All passengers must be attired appropriately so that all private areas are adequately covered. Any passenger attempting passage without such attire may be refused service with that trip being recorded as a no show or cancellation.

The City of Arlington concealed handgun policy is in effect for all city vehicles, including Handitran vehicles.

All passengers, escorts and any accompanying animal or package shall be free from odors that other passengers may reasonably find offensive.

Handitran may refuse service to any passenger, escort or accompanying animal or package not meeting these requirements.

B. Service Types

Handitran shall offer door-to-door, demand response transportation service to eligible passengers. Two types of service will be available: demand and subscription. Service is scheduled on a first come, first served basis, and is provided within capacity limitations.

1. Demand Service

Demand service shall be available for any trip that does not occur on a regular basis. Requests for demand service may be made up to fourteen (14) days in advance.

Same-day service requests are accepted for demand service. When a same-day trip is requested, Handitran staff will attempt to schedule both the original and return trip as long as there is seating and/or wheelchair space available. The scheduler may refuse the request for same-day service if there is no available space. Same-day service may result in longer than normal wait times.

2. Subscription Service

If space is available and the passenger is in good standing with Handitran, meaning they do not owe Handitran money and have not been suspended in the last six (6) months, subscription service may be offered. Subscription trips are trips that occur on the same day every week for a minimum of four (4) consecutive weeks and originate within the service area and terminate at the same scheduled location, at the same time each day. For purposes of this policy, each one-way trip occurring on different days of the week is considered a separate subscription service. Requests for subscription service may be made up to fourteen (14) days in advance. Subscription service takes two (2) weeks to go into effect. Subscription service must be cancelled by the passenger when service is no longer needed.

Each subscription service may be temporarily cancelled in advance of the scheduled service by a passenger for periods no longer than four (4) weeks without the passenger forfeiting the scheduled time slot.

When subscription requests are made, the passenger may make unforeseeable changes. If more than two (2) changes are made within four (4) weeks to an individual trip, that subscription trip may be denied, and the passenger must ride on a demand basis for four (4) weeks before the privilege of subscription service is again given.

If a passenger no shows any two (2) subscription trips in succession, that passenger will be taken off the schedules until they contact the scheduling office. Notice of the no show and appeal process will be sent to the passenger in accordance with the Handitran suspension policy. If the

passenger does not contact the scheduling office in two (2) weeks, all subscription service for that passenger may be cancelled.

Subscription service may be suspended for four (4) weeks for those riders who have cancelled four (4) trips in a row unless prior arrangements for temporary cancellation of subscription service has been made. The rider may request trips through demand service until the four (4) week suspension is complete.

Semi-weekly subscription service is not scheduled. Should the schedule indicate that the passenger is canceling every other week, subscription service may be denied.

C. Requesting Service

1. Scheduling

Trips may be scheduled in one of three ways: (1) by using the online app, (2) by booking through the booking webpage, or (3) by calling the Handitran scheduling line Monday through Friday from 8:00 a.m. to 4:30 p.m.

A request for service may be made up to fourteen (14) days in advance.

Each originating and return trip will be recorded separately, and each direction shall be recorded as a one-way trip.

In order to schedule a trip, the following information will be needed.

- | | |
|-------------------------------------|-------------------------|
| 1. Name and Service Date | 4. Destination Address |
| 2. Handitran I.D. Number (optional) | 5. Number of Passengers |
| 3. Pick-Up Address/Time | 6. Phone Number |

2. Scheduling by Guardian or Custodian

If paperwork has been submitted notifying Handitran of a guardian or custodian for a passenger, then the appointed guardian or custodian shall schedule or make any service changes for that passenger. If a guardian or custodian is on file with Handitran, the passenger cannot schedule or make any schedule changes.

3. Trip Purpose

There is no limit on trip purpose, with the exception of public-school transportation and service provided outside the service area. Handitran is prohibited by the Federal Transit Administration from providing public school transportation.

4. Trip Refusals

Handitran may refuse trip requests if space is unavailable. If space becomes available, Handitran will prioritize refusals by trip purpose and accommodate these requests.

Trip Priority

Tier 1: Medical (doctor appointments, therapy, dialysis, etc.)

Tier 2: Essential Personal (pharmacy, grocery shopping, post office, bank, etc.) and Work

Tier 3: School

Tier 4: Recreational (shopping, recreation centers, library, etc.)

D. Riding Handitran

Handitran is a “shared ride” service and passengers should expect the driver to pick up and/or drop off other passengers during their trip.

Drivers shall make reasonable effort to provide door-to-door service but are not permitted to enter passengers' homes past the entryway or beyond the lobby area in other buildings.

Pick Up Window: Each Handitran ride is assigned a thirty (30) minute pick-up window. Riders may be picked up as early as fifteen (15) minutes before the scheduled pick-up time or as late as fifteen (15) minutes after the scheduled pick-up time. Passengers are expected to be ready for pick up during this entire thirty (30) minute window. Riders who are not ready for travel will be marked as a “no show”. It is the passenger’s responsibility to be in the correct pick-up location during the pick-up window.

Driver Wait Time: When the driver arrives at a pick-up location, he/she will wait a maximum of five (5) minutes before recording the passenger as a “no show” and departing. If contact with the passenger is made within the five (5) minute window, the passenger is expected to be ready for transport. The driver is prohibited from waiting more than five (5) minutes for a passenger that is not ready. If a passenger is not ready after five (5) minutes, he/she will be recorded as a “no-show”.

If no contact is made within the five (5) minute window, the driver will leave a door hanger at residential locations to offer proof the driver attempted to pick-up. Door hangers are not left at business locations, but drivers will contact Dispatch about the “no show” for documentation.

Pick-Up/Drop-Off Location: Service may not be rendered if the origin or destination location cannot be accessed by the vehicle or if the location does not provide safe passage for the vehicle or safe access to and/or from the vehicle by the passenger. The driver shall immediately call Dispatch for further instructions in such a case. Steep driveways, deteriorated sidewalks, missing

ramps, etc., may result in denial of service. Curb-to-curb service may be offered in these instances, as approved by the Transit Operations Supervisor or his/her designee.

Drivers are not permitted to maneuver a wheelchair up or down more than one (1) step with a maximum height of six inches (6").

Drivers are not permitted to lift passengers.

Drivers have the discretion to assign seats and determine wheelchair placement when necessary for the efficiency and/or safety of the operation.

Passengers must pay their fares upon boarding the vehicle. Failure to do so will result in no service for that trip and be recorded as a no show.

Handitran passengers are required to wear seat belts, as provided by Texas Transportation Code § 545.413, as amended; this includes wheelchairs or other assistance devices equipped with seat belts. Refusal to do so may result in suspension of service. A physician's statement of a passenger's physical inability to wear a seat belt may waive this requirement.

Profanity or abusive conduct shall not be permitted and may result in immediate suspension or termination of service.

Eating, drinking, or smoking is not allowed on Handitran vehicles.

Drivers are not allowed to accept tips in accordance with City of Arlington Policies and Procedures.

E. Special Circumstances

1. Transportation of Children

Children under eight years of age, unless they are taller than four feet, nine inches, will not be transported without being secured in a child passenger safety seat system as mandated by Texas Transportation Code § 545.412, as amended.

Passengers traveling with children who are required to be secured in a child passenger safety seat system must provide their own seat approved for use in vehicles. The passenger will be responsible for installing the child passenger safety seat system in the vehicle, placing the child into the seat, and appropriately securing the child. During transport, the child passenger safety seat system must be secured to the vehicle seat by a safety belt or in another lawful manner. The driver shall not transport the child unless they are appropriately secured in the child passenger safety seat system during the operation of the vehicle. Handitran may refuse service to a passenger who does not secure the child in a child passenger safety seat system as required. The passenger and child must both be

ready at the door when the vehicle arrives. The driver may carry the child into the vehicle if requested by the passenger because the passenger is not able to do so due to his/her disability and an attendant or guest is not accompanying the passenger. The child will not be allowed to ride up the lift with a passenger in a wheelchair.

The minimum age for a child to travel alone aboard Handitran is thirteen (13) years of age. Children who are twelve (12) years of age or younger must be accompanied by an adult attendant during transport. Exceptions may be granted by the Transit Operations Supervisor or his/her designee.

2. Trip Intention

Primary trips are trips scheduled for the exclusive purpose of the passenger. Secondary trips are those scheduled for the purpose of a guest/companion (escort) of a passenger. Secondary trips will be allowed for escorts who are dependents of passengers when accompanied by the passenger. If a passenger schedules a trip and a guest/companion accompanies the passenger and shares the purpose of the trip, the trip is considered primary. Other secondary trips may be allowed at the discretion of the Transit Operations Supervisor.

3. Accommodation of Mobility Devices

Per Department of Transportation (DOT) Americans with Disabilities Act (ADA) regulations, Handitran will accommodate all mobility devices that do not exceed six hundred (600) pounds in weight. Passengers must be seated in an upright position when using mobility devices in Handitran vehicles. Wheelchair lifts are not accepted devices.

4. Motorized Mobility Aids

Handitran will accommodate motorized mobility aids that do not exceed the limits as listed above for common wheelchairs. Any passenger using a motorized mobility aid that does not have a four-sided main frame and open wheels and cannot be secured by the tie down system will be requested to independently transfer to a bus seat for transport for his/her safety. Any passenger using a mobility aid that has a single post supporting the seat will be requested to independently transfer to a bus seat for transport for his/her safety. The passenger may use the boarding chair for boarding or to transfer to a bus seat. In cases when the passenger transfers to a bus seat, the mobility aid will be secured separately.

5. Personal Care Attendants (PCA)

Handitran allows a personal care attendant (PCA) who is not a registered Handitran client to accompany a passenger at no additional charge when such an attendant is required by the passenger to utilize the Handitran

service. Passengers are required to supply their own PCA at their own expense.

The minimum age for a PCA is thirteen (13) years of age.

PCA's will not be allowed to assist in wheelchair securement for safety reasons. The driver's responsibility is to board and secure all wheelchairs and other assistance devices.

6. Service Animals and Accommodation of Animals

Handitran allows service animals to accompany their owner without restraint as allowed by the Americans with Disabilities Act (ADA) and Texas Human Resources Code Chapter 121, as amended. Under the ADA, a service animal means any guide dog, signal dog, or other animal that is required to aid the owner that is individually trained to do work or perform tasks for the benefit of 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 retrieving dropped items.

Service animals are animals that have been trained to perform a specific function that the owner cannot perform. This does not include animals trained to provide emotional support or to promote mental wellbeing.

Animals other than service animals as described above are allowed to ride a Handitran vehicle in a secured pet travel carrier.

The ADA allows for the imposition of legitimate safety requirements that are necessary for the safe operation of Handitran. Handitran can generally require use of a secured pet travel carrier for any animal that, in the opinion of the Transit Operations Supervisor or his/her designee is a health or safety hazard regardless of the kind of training it has received and the function it serves for its owner.

Both service animals and non-service animals must be scheduled in advance to ensure accommodations can be made.

7. Carry-On Packages

Passengers shall limit their carry-on packages to not more than five (5) full brown paper grocery bags or ten (10) plastic grocery bags at one time unless they have an attendant traveling with them to load/unload the packages. One (1) flat of any item (water, soda, dog food, etc.) may be substituted for either one (1) paper grocery bag or two (2) plastic grocery bags. Packages must be limited to no larger than a brown paper grocery bag. No one package shall weigh more than twenty (20) pounds. Laundry must be transported in a closed container that meets the size and weight

limitations. Passengers must make other arrangements for delivery of larger items.

8. Custody of Passengers

Handitran is a common transportation carrier and cannot care for passengers beyond the scope of providing transportation services. Handitran does not and cannot assess the capabilities of a passenger to care for him/herself.

When a passenger is transported to a drop off location and is reasonably considered by the Handitran staff to be unable to care for him/herself, every attempt will be made to leave the passenger with another person at the drop off location.

When no one is available at the drop off location, the Handitran Driver will contact Dispatch for guidance on next steps. The Dispatcher will attempt to contact the emergency contacts in the passenger's file. The Driver will be directed to re-board the passenger and return at the next earliest convenience of Handitran to de-board the passenger.

If Handitran returns to the drop off location and there is still no one at the drop off location to receive the passenger, Handitran personnel may again re-board the passenger or remain with him/her at the drop off location until someone arrives. Verbal and/or written notice will be given to the caregiver of this policy violation at the time the passenger is dropped off.

After an incident as described above occurs, a written notice will be sent to the caregiver, family member or other related party responsible for the passenger notifying them of the incident and subsequent violation of Handitran policies and procedures. If such an incident recurs, the passenger may be suspended from service.

Handitran Administration has the option of reporting the incident to Adult Protective Services and/or Child Protective Services.

F. Service Suspensions and Terminations

1. Cancellations

Passengers must notify the Handitran office of any necessary cancellations at least sixty (60) minutes prior to the scheduled trip. A cancellation is considered "late" if it is made less than sixty (60) minutes prior to the trip. A late cancellation will be recorded as a "no show".

Suspension of service due to "no shows" shall be made in accordance with Section IV(F)(3). A "no show" due to late cancellation will not be recorded if the trip involves a passenger being transported to or from a

dialysis appointment.

2. No Shows

When the passenger has not submitted a timely cancellation notice and the passenger is not at the scheduled location at the scheduled time, the trip will be recorded as a "no show." A "no show" will not be recorded if the trip involves a passenger being transported to or from a dialysis appointment.

If a passenger "no shows" on the originating trip, the return trip is automatically cancelled to avoid a second "no show" being recorded. The return trip can be rescheduled at the passenger's request. If a passenger "no shows" and later calls for a replacement trip, Handitran will attempt to return at the earliest time possible, within service hours, depending upon vehicle availability. The request is considered a same-day request. No guarantees of return are made. No shows will still be recorded even if the ride is completed at a later time on a replacement trip. Suspension of service due to "no shows" shall be made in accordance with Section IV(F)(3).

3. Suspension Policy

If a rider accumulates two (2) or more "no shows" (including late cancellations) within the previous calendar month and the "no shows" represent ten (10) percent or more of the rider's trips, the rider will be suspended from the service as follows:

- 1st violation = 1 week suspension
- 2nd violation = 2 week suspension
- 3rd violation = 3 week suspension
- 4th violation = 4 week suspension
- 5th violation = 3 month suspension
- 6th or subsequent violation = 6 month suspension

Once a passenger has been free of "no shows" that qualify as a violation under the Suspension Policy for six (6) months, the suspension clock is reset and the next violation will be treated as a first (1st) violation. Suspension periods cannot be split or otherwise divided or altered without approval by the Transit Operations Supervisor. As noted above, "no shows" will not be recorded if the trip involves a passenger being transported to or from dialysis appointments.

Notifications: Handitran passengers will be notified by letter and email (if the passenger has provided a valid email address) after they receive one (1) "no show". Handitran passengers will also be notified by letter and email (if the passenger has provided a valid email address) when they have committed a "no show" violation that could result in a suspension under this Policy by receiving two (2) or more "no shows" in the previous calendar month and those "no shows" represent ten (10) percent or more

of their trips in the previous calendar month. Verbal notices will be provided if disability precludes the passenger from reading such notices.

Other Suspensions: Passengers, guests, or personal care attendants who, in the judgment of the Transit Operations Supervisor, demonstrate tendencies toward violent or destructive behavior through threats, verbal and/or physical behavior, shall have their Handitran service eligibility terminated.

4. Appeals of Eligibility, Suspensions and Terminations

Passengers may appeal eligibility determinations, suspensions, or terminations by written notification as outlined in *Section V. Appeal Procedure*.

A passenger whose service has been terminated because of abuse may reapply for eligibility one (1) year from the date of termination.

The Transportation Director shall have the discretion to alter the penalty as dictated by individual circumstances.

V. APPEAL PROCEDURES

A. Goal

Various federal agency regulations require grant recipients that employ fifteen (15) or more persons to adopt and file procedures that incorporate appropriate due process standards and provide for the prompt and equitable resolution of complaints alleging any action prohibited by the implementing regulations. The City of Arlington, Texas, being a recipient of numerous Federal grant programs, has adopted the following appeal procedures as the mechanism for resolving complaints relative to any federally assisted program activity undertaken by the City of Arlington.

B. Procedure

The following administrative procedure has been established to ensure prompt and equitable resolution of appeals of any person with a disability based on any alleged acts of discrimination due solely to his/her disability that would cause him/her to be excluded from participation in or denied the benefits of any City of Arlington Transportation Department service program or activity receiving Federal financial assistance. This procedure is adopted pursuant to 49 C.F.R. § 27.13, Designation of responsible employee and adoption of complaint procedures (2023).

Any person with a disability who feels that he/she has been discriminated against in any City of Arlington Transportation Department service program

or activity which is prohibited under U.S. Department of Transportation regulations in Title 49, Part 27 (Nondiscrimination on the basis of disability in Programs or Activities Receiving Federal Financial Assistance) (2023) because of his/her disability, must file such an appeal by communication directly with the Transit Operations Supervisor or his/her designee, the responsible employee designated to coordinate compliance efforts under these regulations, within ten (10) days of the event or occurrence in question, or the complainant is considered to have waived appeal rights. Upon the filing of such appeal, the Transit Operations Supervisor or his/her designee will proceed with an investigation of the charge to determine if probable cause exists to believe an act of discrimination has been committed.

This procedure will also be used to appeal eligibility determinations, suspensions and terminations of service. If the complainant does not invoke his/her right to appeal, the termination or suspension of service will be imposed on the first day of the calendar month following the date of notification. During each Step of the procedure below, the City of Arlington shall promptly communicate its response to the complaint allegations, including its reasons for the response, to the complainant by a means that will result in documentation of the response. Additionally, at each Step of the procedure below, the Transit Operations Supervisor, the Transportation Director, and the Deputy City Manager will have the authority to affirm, reverse, or modify the denial of eligibility determination, suspension of service, or termination of service.

STEP ONE

An individual wishing to appeal a service suspension, termination or denial must file such an appeal by communication with the Transit Operations Supervisor or his/her designee within ten (10) days of notification of the event. If the complainant wants to contest the decision of the Transit Operations Supervisor at this Step, the complainant may appeal further under Step Two to the Transportation Director, at which point the matter becomes a formal appeal.

STEP TWO

To appeal further, the complainant must present a description of the complaint and the result of any actions taken or decisions at Step One in writing to the Transportation Director, within ten (10) days of the decision by the Transit Operations Supervisor or his/her designee. The Transportation Director shall return to the complainant a written description of the decision and any proposed resolution of the matter within thirty (30) days unless an extension of time is mutually agreed to by the Transportation Director and the complainant. If the complainant wants to contest the decision of the Transportation Director at this Step, the complainant may appeal further under Step Three to the Deputy City Manager.

STEP THREE

To appeal further, the complainant must file within ten (10) days of the written statement from the Transportation Director by submitting a notice of appeal and a copy of the written appeal to the Deputy City Manager. The Deputy City Manager may also request the City and anyone else relevant to the issue to furnish a written statement regarding the matter.

The Deputy City Manager will schedule a hearing to hear testimony and arguments regarding the appeal. The Deputy City Manager will reach a decision either at the hearing or within thirty (30) calendar days. However, if the Deputy City Manager has insufficient information with which to reach a decision, the Deputy City Manager may schedule a continuance of the hearing to allow sufficient time to obtain additional information.

The Deputy City Manager's findings and decision shall be distributed in writing to the complainant, Transportation Director, and Transit Operations Supervisor. The Deputy City Manager shall serve as the final local authority. No further appeal shall be allowed.