

City of Sierra Vista
Vista Transit

**AMERICANS WITH DISABILITIES ACT (ADA)
REASONABLE MODIFICATION/ACCOMMODATION POLICY**

Background

On March 13, 2015, as part of the Federal Register Vol. 80, No. 49 (80FR13253), the Federal Department of Transportation (DOT) issued a Final Rule effecting 49 CFR Parts 27 and 37: Transportation for Individual with Disabilities; Reasonable Modification of Policies and Practices. This final rule stemmed from a prior Notice of Proposed Rule Making (NPRM) issued February 27, 2006 (71 FR 9761). The purpose behind this final rule is:

“...specifically to provide that transportation entities are required to make reasonable modification/accommodations to policies, practices, and procedures to avoid discrimination and ensure that their programs are accessible to individuals with disabilities.”

Requirements

Federal funding recipients must make reasonable modifications/accommodations in policies, practices, or procedures when necessary to avoid discrimination on the basis of disability unless recipients can demonstrate that making the modifications/accommodations would fundamentally alter the nature of the service, program, activity, or result in an undue financial and administrative burden. This requirement applies to both fixed-route and paratransit services.

Procedures for Accommodating Reasonable Modification Requests

All requests for reasonable modifications/accommodations (fixed route, paratransit or facilities) will be processed in the following manner:

1. Requests may be submitted by email to VistaTransit@SierraVistaAZ.gov , written mail to City of Sierra Vista / Vista Transit, 1011 N. Coronado Dr., Sierra Vista, AZ 85635, Attn: ADA Specialist, by phone at (520) 417- 4888, or verbally to any Vista Transit staff member. All requests will be logged into a Reasonable Modifications/Accommodations Log noting the requestors name, date, contact information and specific modification/accommodation request being made.
2. Information regarding requesting reasonable modifications/accommodations will be available on the City of Sierra Vista, Vista Transit website www.SierraVistaAZ.gov, and published in the Vista Transit Ride Guide. Individuals requesting modifications/accommodations will be asked to supply sufficient detail within the request so that agency staff may effectively evaluate the request. Individuals are not required to use the term “reasonable modification” when requesting modifications or accommodations.

3. Whenever feasible, requests for modifications/accommodations shall be made in advance, before the requested modification/accommodation is expected to be provided in service. The City of Sierra Vista / Vista Transit acknowledges that, due to the unpredictable nature of transportation, some requests for reasonable modification/accommodation may be made while in transit. As such, operations personnel shall make a determination of whether the modification/accommodation can be provided at that time.
4. All requests for modification/accommodation (reasonable or otherwise) will be reviewed and evaluated by the Vista Transit, Transit Administrator and/or the City of Sierra Vista ADA Coordinator. Prior to determination, if necessary, the Administrator will consult with operations staff regarding requests for reasonable modification/accommodation.
5. Some requests for reasonable modification/accommodation may be submitted during the paratransit eligibility process or through other customer service inquiries, and as such, operations personnel are trained and are empowered to determine whether the request should be granted at the time of the request or whether the request needs to be reviewed by management before making a determination to grant or deny the request.
6. Training regarding these procedures will be provided to Vista Transit staff that interact with the public; specifically: managers, supervisors, operators and customer service representatives.
7. All reasonable modification/accommodation requests that require a review will be acknowledged within three business days of receipt. The resolution and response to the person who submitted a request will be made timely, within 15 business days, and the response must explain the reasons for the resolution. The response must be documented in the Reasonable Modification/Accommodation Log. Any requests requiring more than 15 business days to resolve must be reviewed by the Operations Manager and documented as to why the resolution requires additional time for full resolution.