



Allied Coordinated Transportation Services, Inc. (ACTS)
Transportation & Fleet Maintenance Facility
701 North Mercer Street
New Castle, PA 16101
724.652.5588
www.lccap.org/ACTS

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Americans with Disabilities Act (ADA) Reasonable Modification: Policy, Request Procedure, and Complaints

Reasonable Modification Policy

In accordance with the Americans with Disabilities Act (ADA) and directives from the Federal Transit Administration, Allied Coordinated Transportation Services, Inc. (ACTS) shall make every effort, to the maximum extent feasible, to ensure that an individual with a disability has access to, and benefits from, its services. ACTS will make reasonable modifications to its policies, practices, and procedures applicable to its transportation services when necessary to avoid discrimination and ensure accessibility for individuals with disabilities. Importantly, reasonable modifications only apply to ACTS own policies and practices, not regulatory requirements.

Requests for accommodations will be considered on a case-by-case basis and may be denied on one or more of the following grounds:

- Granting the request would fundamentally alter the nature of ACTS's service, programs, or activities.
- Granting the request could create a direct threat to the health or safety of the requestor or others.
- Granting the request would create an undue financial or administrative burden for ACTS.
- Without the accommodation, the individual with a disability is otherwise able to fully use ACTS's services, programs, or activities for their intended purpose.

In determining whether to grant a requested modification, ACTS will be guided by the provisions of United States Department of Transportation at 49 CFR Appendix E to Part 37.169.

Considerations when making a reasonable modification request:

- Individuals requesting modifications shall describe what they need in order to use the service.
- Individuals requesting modifications are not required to use the term "reasonable modification" when making a request.
- Whenever feasible, requests for modifications shall be made and determined in advance, before ACTS is expected to provide the modified service. Examples would be during the application process for services, by contacting the Customer Service Department, or through ACTS's complaint process.
- Where a request for modification cannot practicably be made and determined in advance (e.g., because of a condition or barrier at the destination of a trip of which the individual with a disability was unaware until arriving), ACTS drivers shall make a determination of whether the modification should be provided at the time of the request. ACTS drivers may consult with the Dispatch Office and the management team before making a determination to grant or deny the request. A drivers one-time granting of a request does not constitute an on-going approval for such accommodation.

The request must identify the specific modification needed in order for the individual with a disability to use the service. Whenever feasible, please make the request in advance, before the modification is needed to access the service.

Within the scope of the ADA and reasonable modification, if ACTS denies a request it will make every effort, to the maximum extent feasible, to ensure that an individual with a disability has access to, and benefits from, its services.

Examples of Un-Reasonable Modification Requests

While ACTS may be able to accommodate requests to change *our* policies, practices, and procedures; we cannot accommodate requests which are contradictory to the regulations we are required to uphold. These following are examples of requests which ACTS would have to deny:

- Requests for discounted, same day trips. The majority of sponsoring agencies require that their passengers schedule their trip at least one-business day prior to the date of travel. Passengers may still ride with ACTS when requesting same day trips, however, they must pay the full-fare themselves.
- Requests to ride or not ride on specific vehicles.
- Requests to ride with or not ride with certain drivers.
- Requests to ride or not ride with a certain passenger.
- Requests for exclusive rides (riding alone).
- Requests for trips outside of ACTS service area or hours.
- Requests which expose vehicles to hazards. (Drivers reversing down a narrow alley or picking up in a driveway in which the buses don't safely fit.)

Examples of Reasonable Modification Requests

The following requests are examples of ACTS policies, practices, or procedures which can be modified to better accommodate a passenger with a disability:

- Requests for drivers to secure a stroller or shopping cart to be secured in the wheelchair securement area.
- Requests for a passenger to be picked up 20-minutes earlier than necessary so a caregiver can leave for work.
- Requests to bring along a snack or lunch bag for out-of-county trips to be eaten while waiting in the medical facility.
- Requests for drivers to park on the road instead of the driveway.
- Requests to be picked up or dropped off at a certain entrance at a large facility.
- Requests for a passenger to board the bus separately than their mobility aid.

Procedure to Request a Reasonable Modification

Requests for modifications of ACTS's policies, practices, or procedures to accommodate an individual with a disability may be made either in advance or at the time of the transportation service. ACTS is best able to evaluate and accommodate a request when it's made in advance of the trip.

Advance Requests

For ongoing modifications, you should make your request in advance of your transportation service. ACTS will review the request in accordance with its reasonable modification plan. ACTS strives to respond, in writing, to each request within 15 calendar days. All the information involved with this process will be kept confidential.

When making a request, please thoroughly describe what is needed in order for you to use the service, and why this assistance is necessary.

Whenever feasible, a request for modification to ACTS's service should be made in advance before ACTS is expected to provide the service. ACTS will review your request, and will make every effort to communicate in advance whether or not the requested modification can be made.

If the modification is not made, ACTS will provide the reason for the denial of the request. Requests may be denied on one or more of the following grounds:

- Granting the request would fundamentally alter the nature of ACTS's service, practices, or activities;
- Granting the request could create a direct threat to the health or safety of the requestor or others;
- Granting the request would create an undue financial or administrative burden for ACTS; or
- Without such modification, the individual with a disability is otherwise able to fully use ACTS's services, programs, or activities for their intended purpose.

Requests may be made through the following means:

- Call the ACTS Customer Service Department at (724) 652-5588, Option 1 and notify the Customer Service Representative that you are calling to request a reasonable accommodation. The can complete the form on your behalf.
- Download a Reasonable Modification Form at www.lccap.org/ACTSBusService. Please submit the form via email to ACTS Customer Service at actscs@lccap.org, by fax to (724) 546-5160, or by hard-copy to the ACTS Offices located at 701 N. Mercer Street, New Castle, PA 16101.
- Submit an email request via ACTS Customer Service at actscs@lccap.org, please state "Reasonable Modification Request" in the subject line.

Same Day Requests

When a request for modification cannot practicably be made and determined in advance, you may make a request on the same day, at the time of, or during service.

- You should make your request to the driver of your bus.
- Please describe to the driver in detail what accommodation you require and why it is necessary in order to use the service.
- The driver will make a determination of whether the modification should be provided at the time of the request. The driver may consult with the Dispatch Office and the management team before making a determination to grant or deny the request.
- The driver may grant the request if such request is reasonable and meets the requirements of ACTS's policy. *A driver's one-time granting of a request does not constitute an on-going approval for such accommodation.*

Requests may be denied on one or more of the following grounds:

- Granting the request would fundamentally alter the nature of ACTS's service, practices, or activities.
- Granting the request could create a direct threat to the health or safety of the requestor or others.
- Granting the request would create an undue financial or administrative burden for ACTS.
- Without such modification, the individual with a disability is otherwise able to fully use ACTS's services, programs, or activities for their intended purpose.

Since drivers' time while on-the-road may be very limited, other passengers may be on the bus, and if the request would require extended consideration, we may not be able to grant your request immediately. Additionally, ACTS's ability to grant the requested modifications may vary by day of travel, time of day, and other circumstances. In this event, the request may have to be temporarily denied and you may be encouraged to submit a written request for further consideration in future trips.

In the case of a denial of a request, ACTS will take, to the maximum extent possible and in compliance with its policies, any other appropriate actions to ensure you receive service.

ADA / Reasonable Modification Complaint Process

Complaints regarding ACTS's administration of or compliance with this or any ADA policy shall be made in writing to:

Allied Coordinated Transportation Services, Inc. (ACTS)
Transportation Facility
701 N. Mercer Street
New Castle, PA 16101
Attn: ADA Complaint

or send via email to actscs@lccap.org.

The ADA Complaint Procedure and Complaint Forms can be found at: www.lccap.org/ACTS.