



RIVERSIDE TRANSIT AGENCY
1825 Third Street
Riverside, CA 92507

July 28, 2005

TO: BOARD OF DIRECTORS

THRU: Larry Rubio, Chief Executive Officer 

FROM: Judylynn Gries, Administrative Services Manager 

SUBJECT: Request to Hold Public Hearing and Approve Change Existing Dial-A-Ride/ADA Cancellation and No-Show Policy

Summary: Under the Americans with Disabilities Act (ADA), provisions are made for transit agencies to establish an administrative process to suspend, for a reasonable period of time, the provision of ADA service to individuals who establish a pattern or practice of canceling or missing trips scheduled on paratransit services. This practice is referred to as a "no-show".

Appendix D of 49 CFR Part 37, Section 37.125 entitled ADA Paratransit Eligibility, states, "The rule also allows an entity to establish a process to suspend, for a reasonable period of time, the provision of paratransit service to an ADA eligible person who establishes a pattern or practice of missing scheduled trips. The purpose of this process would be to deter or deal with chronic no-shows. . . . sanctions could be imposed only for a pattern or practice of missed trips. A pattern or practice involves intentional, repeated or regular actions, not isolated, accidental, or singular incidents. Moreover, only actions within the control of the individual count as part of a pattern or practice."

The existing dial-a-ride/ADA cancellation and no-show policy was submitted to the RTA ADA Committee in June of 1997 and was published in the RTA Paratransit Rider's Guide after approval by the RTA Board of Directors on July 31, 1997.

The industry average for cancellations is 2 percent of scheduled rides and the average for no-shows is 4 percent. During the past six months, the RTA has averaged more than 18 percent cancellations and over 5.25 percent no-shows.

Cancellations and no-shows create gaps in the schedule and translate into missed opportunities for other passengers to travel. The existing policy penalizes riders with a letter or a phone call only

after three (3) unexcused no-shows within a thirty (30) day period. In addition, the Agency may elect to review riding privileges with customers who have three (3) unexcused no-shows during any thirty (30) day period. After four (4) unexcused no-shows in the same thirty (30) day period, the existing policy allows the Agency to suspend trips for seven (7) days or impose a fine of five dollars. Following the fifth unexcused no-show in the same thirty (30) day period, the Agency may suspend service for a two (2) week period or impose a ten dollar (\$10) fine. The process of contacting customers to discuss no-show penalties rests with the contractor providing the service.

During the past twelve months, no customers have been suspended or have been asked to pay a fine under the current policy. As there are no definitive, consistent penalties for late cancellations and no-shows, both the contractor delivering the paratransit service and the customers are unsure of their responsibilities under the existing policy.

The proposed policy outlines a penalty-point system that can be consistently applied to cancellations and no-shows. Point values are assessed whenever cancellations are made with limited advance notice and the values are increased when a customer repeatedly no-shows. The penalty-points are clearly defined, and will permit the contractor to generate letters following each occurrence – late notice of a cancellation and every no-show. In addition, customers can easily understand exactly what action the Agency will take for repeatedly canceling or no-showing rides.

The proposed changes were discussed at RTA Quarterly ADA meetings held on May 5 and June 9, 2005. At the suggestion of meeting attendees, a revision has been made to the penalty-point system to simplify implementation of the policy. Attendees representing the disability community have been supportive of the policy change.

In keeping with the Agency's commitment to ensure a full public participation process, staff recommends holding a Public Hearing on the proposed policy change to solicit additional input from the community as a whole. Comments received during this process will be considered in the development of the final draft of the dial-a-ride/ADA cancellation and no-show policy.

It is anticipated the revised dial-a-ride/ADA cancellation and no-show policy will be brought back to the Board of Directors in September for its consideration. If approved by the Board, staff will recommend an effective date of November 1, 2005, which will allow

sufficient time for the Marketing Department to publicize the policy changes.

Fiscal Impact:

Funding in the amount of \$1,500 is included in the FY 2005-2006 budget for marketing the policy to existing and new customers.

Committee Recommendation:

This item was discussed at the Board Operations and Board Administrative Committee meetings of July 6th and July 13th, respectively. The Board Operations Committee recommended that staff raise two additional issues during the dial-a-ride/ADA cancellation and no show policy public hearing process:

- Should some type of compensation be made to customers if the scheduled trip was “missed” by the RTA contractor?
- Should habitual no-show, late cancel offenders be called the day prior to their scheduled trip?

The Board Operations and Board Administrative Committees unanimously approved recommending this item to the full Board of Directors for their consideration.

Recommendation:

Authorize staff to hold a Public Hearing to receive additional public comment on the proposed change to the RTA ADA Paratransit Services Cancellation and No-Show Policy.

Riverside Transit Agency

Cancellation and No-Show Policy

To cancel a scheduled trip, call Customer Service at (951) 943-0319. Or, you may cancel using e-mail at cancel@riversidetransit.com. You may cancel at any time, 24 hours a day.

The following point system is used to determine penalties for recurring cancellations and no-shows as they occur during a rolling time period (from first incident to current date).

Time of Cancellation	Points Assessed
Late Notice – any ride canceled after 6:00 PM the day prior to the scheduled pick-up time.	ONE (1)
Very Late Notice – any ride canceled from within four hours to 30 minutes prior to the beginning of the pick-up window (the window is 15 minutes before and 15 minutes after scheduled pick-up time.	TWO (2)
Extremely Late Notice – any ride canceled within 30 minutes to 15 minutes prior to the beginning of the pick-up window. No Notice – any ride canceled less than 15 minutes before the pick-up window. No-Show – any ride for which an authorized paratransit service vehicle arrives at the designated pick-up location, waits the prescribed five minute period, and the passenger is not present to board the vehicle.	THREE (3)

In the event you are a NO-SHOW for a ride, the return ride or any additional ride(s) scheduled for that day will NOT be automatically cancelled. However, in most cases, the return ride or any additional ride(s) scheduled for that day will count as ONLY one no-show.

Please contact Customer Service for assistance in canceling your reservation(s).

Cancellations made after 6:00 PM the day before the scheduled pick-up are assessed points, which in addition to No-Shows, are used to determine limitations or suspensions of service. Both cancellations and No-Shows may result in a suspension of service as outlined below:

Cancellation / No-Show Point Values	Within a Period of	Suspension Period
9	30 Days	15 Days
14	60 Days	30 Days
19	120 Days	90 Days
24	180 Days	Ridership Review to determine suspension period.

Right of Appeal

All persons affected by this policy are entitled to request an appeal relating to the imposition of sanctions under the adopted policies of the Riverside Transit Agency. The imposition of sanctions under the terms of the Cancellation and No-Show Policy is stayed pending the outcome of the appeal.

[49CFR § 37.125 (h) 3]

What are causes for refusal of service?

Dangerous, unsafe or inappropriate behavior or physical or verbal abuse towards drivers or other passengers on the vehicle by a passenger are grounds for refusal of service.

How can I appeal a penalty for service infractions?

Whenever there exists a disagreement or dissatisfaction with the policy or procedures, a customer has the right to appeal. A written explanation of the customer's position along with supporting facts and statements are to be sent to the attention of the Chief Executive Officer to begin the appeal process. After the appeal is received by the RTA, it will be referred to the Operations Department for investigation and response and a **hearing will be scheduled. A written determination will be sent to the customer from the Chief Executive Officer of the Riverside Transit Agency and a copy will be made available to the Americans with Disabilities Act Committee. An additional appeal may be made to the Riverside Transit Agency Board of Directors, Operations Committee, when appropriate.** The appeals process will take no longer than thirty (30) days.