

RIVERSIDE TRANSIT AGENCY  
1825 Third Street  
Riverside, CA 92507

September 22, 2005

TO: BOARD OF DIRECTORS

THRU: Larry Rubio, Chief Executive Officer *Larry*

FROM: Scott Richardson, Director of Marketing *SR*

SUBJECT: Request for Approval to Change Existing Dial-A-Ride/ADA Paratransit No-Show and Late Cancellation Policy and to Publish the Revised 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 no-show and late cancellation 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 late 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 17.5 percent late cancellations and 5.2 percent no-shows.

No shows and late cancellations 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 30-day period, the Agency may suspend service for a two-week period or impose a \$10 fine.

Previously, the process of contacting customers to discuss no-show penalties has been the responsibility of the contractor providing the service. Since the beginning of August 2005, RTA staff has assumed that responsibility. During the period when the contractor was responsible for the current no-show policy, no customers were suspended or asked to pay a fine. This was attributed to both the contractor and the customers being unsure of their responsibilities under the existing policy. Since RTA staff has been responsible for enforcing the policy, one person has been notified that his service will be suspended for violating the current policy. However, there still remains some confusion among customers regarding the policy.

The proposed revisions to the policy were discussed at the Quarterly ADA Update meetings held on May 5 and June 9, 2005. In keeping with the Board of Director's commitment to ensure a full public participation process, a public hearing on the proposed policy was also held on August 1, 2005.

At the hearings, customers representing the senior citizen and disability communities were very supportive of the proposed revisions. However, input received at these meetings suggested further simplification of the policy was desirable, both in terms of administration and passenger comprehension of the penalty-point system. Subsequently, customers' suggestions have been incorporated into the proposed late cancellation and no show policy now before the Board of Directors Operations Committee.

The proposed policy clearly 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 progressively increased based on the lateness of notification or a validated no show. Customers can easily understand exactly what action the Agency will take for repeatedly canceling late or no-showing.

At their July 6<sup>th</sup> meeting, the Board Operations Committee requested staff to solicit public input at the August 1<sup>st</sup> public hearing regarding two DAR issues:

- Whether RTA should offer passengers some type of compensation if DAR is late in picking them up.
- Whether DAR should call habitual no-shows the day before their scheduled pick up to remind them of their reservation.

Following is a summary of the input received on those issues:

- Late Pickup Compensation
  - Contractor to call passenger if DAR is late
  - If contractor is ½ hour late, fare would be ½ price
  - If contractor is one hour late, the fare would be free
- Calling Habitual No-Show Customers
  - Habitual no-show and late-cancel DAR passengers not be called to be reminded of rides. It was suggested that after the first warning, habitual no-show passengers must pay the fare of the no-show ride.

The proposed effective date for the new policy is November 1, 2005. On that date, all previous points will be erased, and all users will start with zero points.

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 Budget and Finance, Board Operations, and Board Administrative Committee meetings of September 7 and September 14, 2005, respectively. The Committees' members unanimously approved recommending this item to the full Board of Directors for their consideration.

Recommendation:

Approve the proposed changes to the Dial-a-Ride/ADA Paratransit Late Cancellation and No Show Policy, and authorize staff to publish the revised policy in the ADA Paratransit Services Rider's Guide and DAR Brochure with an effective date of November 1, 2005.

## Riverside Transit Agency Dial-A-Ride Late Cancellation and No-Show Policy

The Riverside Transit Agency has established this late cancellation and no-show policy to increase the efficiency of RTA's Dial-A-Ride services, maximize the availability of appointment time slots, and better utilize limited public resources. In order to achieve these goals, this policy is intended to discourage repeated late cancellations and no-shows for the Dial-A-Ride services.

A Dial-A-Ride trip may be cancelled at anytime, 24 hours a day. To cancel a reservation(s), contact RTA Customer Service by telephoning (951) 943-0319, faxing at (951) 943-5755, or e-mailing at [cancel@riversidetransit.com](mailto:cancel@riversidetransit.com).

Cancellations made after 6:00 PM the day before the scheduled pick-up are assessed points, which are used to determine suspensions of service. The following point system is used to determine penalties for recurring cancellations and no-shows.

Time of Cancellation	Points Assessed
Late Notice – Any ride cancelled after 6:00 p.m. the day prior to the scheduled pick-up time.	ONE (1)
Late Notice – Any ride cancelled 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 cancelled within 30 minutes prior to the beginning of the pick-up window; or  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 of a NO-SHOW for a ride, the return ride or any additional ride(s) scheduled for the same day will NOT be automatically cancelled. In addition, the return ride or any additional ride(s) scheduled for which the passenger is not present as scheduled shall not be assessed any points.**

Accumulated assessed points for late cancellations and no-shows shall result in a suspension of service as provided below. The eligibility period is defined as days during which a passenger is eligible to utilize Dial-A-Ride and does not include any days during a suspension period. Each suspension of service period is separate.

Accumulated Assessed Points	Within an Eligibility Period of	Service Suspension Period
9	30 Days	15 Days
14	60 Days	15 Days
19	120 Days	30 Days
24	180 Days	60 Days

## Notification

Any person who has accumulated sufficient assessed points to receive a service suspension will be notified not less than 30 days before the service suspension begins.

## Right of Appeal

Any person affected by this policy is entitled to request an appeal relating to the suspension of service under the adopted policies of the Riverside Transit Agency. The suspension of service under the terms of the Cancellation and No-Show Policy is stayed pending the outcome of the appeal. [49CFR § 37.125 (h) 3]

## Appeal Process for Service Infractions or Disagreements

Whenever there exists a disagreement or dissatisfaction with the policy or procedures, including service suspensions, a customer has the right to appeal. To file an appeal, a customer or his/her representative must send a written explanation of the position along with supporting facts and statements to the attention of the RTA Contract Operations Manager to begin the appeal process. After RTA receives the appeal, the Contract Operations Department will send an acknowledgment to the customer and his/her representative, if applicable, within seven days of receipt, conduct an investigation of the circumstances, issue a report and schedule a hearing before the DAR Service Appeals Committee. Based on its review of the submitted material, the committee will issue a written determination, which will be sent to the customer and his/her representative, if applicable, within 30 days from receipt of their appeal and a copy will be made available to the Americans with Disabilities Act Committee. This ruling shall be deemed final.