

GENERAL PUBLIC DEMAND RESPONSE Policies and Procedures

Brown Cab Inc.

Original ADA Plan

Adopted on: 10/10/2023

Adopted by: Brown Cab Inc.

Policy Updates – Activity Log

Brown Cab Inc. will regularly review its policy to determine if modifications are necessary. The table below records reviews/revisions made to the plan.

Date	Activity (Review/Update/Addendum/ Adoption/Distribution)	Person Responsible	Remarks
10/03/2023	Develop General Demand Response Policy and Procedure	Amanda Running	

Table of Contents

I. GENERAL

- A. Description of Services
- B. ADA Requirements
- C. Policy Statement
- D. Objectives

II. OPERATIONS

- A. General – Service Characteristics
 - 1. Response Time
 - 2. Fares
 - 3. Service Area
 - 4. Days and Hours of Service
 - 5. Trip Purpose
 - 6. Availability of Information and Reservations Capability
 - 7. Capacity Constraints and Monitoring
- B. Vehicle Selection and Monitoring

III. PASSENGER RESPONSIBILITIES

- A. General Passenger Condition
 - Rules of Conduct
- B. Requesting Service
 - 1. Trip Reservation
 - 2. Negotiating a Pickup time
 - 3. Reasonable Modifications
 - 4. Trip Denials
 - 5. Cancellations
 - 6. ‘No Shows’
- C. Riding General Public Demand Response Service
 - 1. On Time Performance and Pickup Time Window
 - 2. Driver Assistance
 - 3. Accommodations of Wheelchairs
 - 4. Ramp/Lift and Securement
 - 5. Seat Belts

IV. MISCELANEOUS

- Medical Equipment
- Service Animals and Accommodation of Animals
- Carry-on Packages
- Inclement Weather
- Lost and Found

V. COMPLAINT PROCEDURE

- How to File a Complaint

ATTACHMENTS

- No Show Policy
- Reasonable Modification Policy
- Appeals Process
- Trip Denial Log

I. GENERAL

A. Description of Service

Municipalities in Wisconsin receive Federal Transit Administration (FTA) funds to contract with **Brown Cab Inc.** to operate demand response shared-ride transportation services. Information on transportation services provided by **Brown Cab Inc.** is available on the **Brown Cab Inc.** website at: <https://runninginc.net/RunningIncHome>

B. ADA Requirements

DOT regulations and transportation-related provisions of the Americans with Disabilities Act (ADA) of 1990, Section 504 of the Rehabilitation Act of 1973, as amended and 49 CFR Parts 27, 37, 38 and 39 set specific requirements for transit providers to ensure that individuals with disabilities are not excluded from, denied the benefits of, or subject to discrimination.

ADA applies to almost all providers of transportation service, whether private or public, and whether or not an entity receives Federal Transit Administration (FTA) financial assistance.

Brown Cab Inc.'s ADA Demand Response¹ policy is designed to inform riders about **Brown Cab Inc.'s** special transportation service.

Demand responsive system means any system of transporting individuals, which is not a fixed route system. With fixed route service, no action by the individual is needed to initiate public transportation. If an individual is at a bus stop at the time the bus is scheduled to appear, then that individual will be able to access the transportation system. With demand-responsive service, an additional step must be taken by the individual before they can ride in the vehicle, e.g., the individual must make a telephone call or schedule a trip online.

This document includes policies and procedures, rules and regulations, and guidelines for use of the demand response system, along with answers to many questions about the program.

All **Brown Cab Inc.** riders should review this manual carefully and refer to it whenever questions arise.

For additional information, please contact the **Brown Cab Inc.'s** ADA Coordinator at 608-637-2599.

¹ *Demand responsive system* means any system of transporting individuals, which is not a fixed route system. With fixed route service, no action by the individual is needed to initiate public transportation. If an individual is at a bus stop at the time the bus is scheduled to appear, then that individual will be able to access the transportation system. With demand-responsive service, an additional step must be taken by the individual before they can ride in the vehicle, e.g., the individual must make a telephone call or schedule a trip online.

C. Policy Statement

It is the policy of **Brown Cab Inc.** to comply with all the legal requirements of federal and state laws and regulations as they pertain to individuals with disabilities. If state laws and federal regulations are contradictory, the federal ADA regulations prevail. **Brown Cab Inc.** provides quality transportation services without discrimination to all persons including persons with disabilities. Discrimination on the basis of disability against any person by **Brown Cab Inc.** employees will not be tolerated or ignored.

Municipalities are a recipient of federal financial assistance must develop a procedure for investigating, tracking, and resolving Title VI/ADA Nondiscrimination complaints regarding its demand response public transportation service provided by **Brown Cab Inc.**

Information on transportation services provided by **Brown Cab Inc.** to Wisconsin municipalities is available on the **Brown Cab Inc.** website at: <https://runninginc.net/RunningIncHome>

For information on each **municipality's** civil rights program, ADA obligations, and the procedures to file a complaint, contact City Hall of designated **municipality**. For hearing impaired, please use Wisconsin Relay 711 service <https://wisconsinrelay.com>.

Additional Information is available in the Complaint Procedure section.

D. Objectives

General public demand response service meets the specific objectives of the ADA requirements by:

1. Providing demand-response transportation on specially equipped accessible vehicles designed to accommodate persons with disabilities. Note: USDOT ADA regulations permits a mix of accessible and inaccessible vehicles to deliver demand responsive services.
2. Maintaining a trained staff for the operation and control of the service.
3. Providing on-going mechanisms for persons with disabilities to provide input on the ADA demand response service provided by **Brown Cab Inc.**

II. OPERATIONS

A. General – Service Characteristics

U.S. Department of Transportation ADA regulations requires **Brown Cab Inc.**, as a provider of demand response service, to provide riders with disabilities and riders without disabilities, an 'equivalent level of service' for seven (7) service criteria:

- ✓ Response Time
- ✓ Fares
- ✓ Service area
- ✓ Hours and Days of Service
- ✓ Trip purposes
- ✓ Availability of Information and Reservations Capability
- ✓ Capacity constraints

Response Time

The elapsed time between a request for service and the provision of service is the same for riders with and without disabilities.

Reservations may be taken by **Brown Cab Inc.** staff. Advance reservations may be made up to **30 calendar days** in advance of an individual's desired trip(s). If requests for service are made with less than the next day notice, **Brown Cab Inc.** staff will attempt to schedule the trip.

Fares

For a given trip, the fare is the same for *all* riders. A higher fare cannot be set for riders with disabilities although a lower fare may be adopted.

Service Area

Individuals with disabilities are able to request trips in the same area or areas as other riders and on the same days and during the same hours as other riders. See the **Brown Cab Inc.'s** website for service area information.

Eligibility of Minor Riders

Minors under the age of 6 may not travel without the accompaniment of a responsible companion. Persons judged to be incompetent may not travel without the express consent of a person who has authority to make decisions for the incompetent.

Days and Hours of Service

Individuals with disabilities are able to request trips on the same days and during the same hours as other riders.

Routes, Fares, and Service Hours

See **Brown Cab Inc.'s** website for fares, routes, and service area information.

Trip Purpose

Passengers will not be asked to provide information regarding their trip purpose.

Individuals with disabilities are not restricted by trip purpose any more than travel by other individuals.

No portion of the public transit service provided by **Brown Cab Inc.** is exclusively for busing students to/from school. When transporting students, **Brown Cab Inc.** adheres to the following requirements:

- The trip qualifies for standard public taxi service in the defined operating area.
- Trips to and from the school are scheduled in the same manner as any other trip.
- The general public is not excluded from sharing trips in which students are being transported to and from school.
- No portion of the service is designated or marketed as a school specific service.
- A reasonable person would not believe any portion of the service was created solely to provide school service.

Availability of Information and Reservations Capability

Availability of Information – **Brown Cab Inc.** provides riders with disabilities the same access to the same information and reservation system as other riders.

Reservations Capability - Contact **Brown Cab Inc.** staff if you need information in alternate formats that are not currently provided. (e.g., large print, audio, or accessible electronic files for riders with vision disabilities).

Wisconsin Relay Service, 7-1-1 is a free service state of Wisconsin resource that assists with communication needs.

- <http://www.wisconsinrelay.com> provides full telephone accessibility to people who are deaf, hard-of-hearing, deaf-blind and speech disabled.

Capacity Constraint and Monitoring

Brown Cab Inc. ensures the level of service available to riders with disabilities is the same for riders without disabilities. To ensure service equivalency, **Brown Cab Inc.** monitors trip denials.

Performance data will be collected and reported in a **Trip Denial Log** for the purpose of establishing whether capacity constraints exist.

B. Vehicle Selection and Maintenance

Vehicle Selection – **Brown Cab Inc.** is in compliance with ADA in terms of having a mix of accessible and inaccessible vehicles to deliver an equivalent level of service.

Maintenance - All vehicles in the **Brown Cab Inc.** fleet will be properly maintained including the operative condition of all accessibility features available to individuals with disabilities. These features include lifts, ramps, securement devices, signage, and systems to facilitate communication. All accessibility features will be repaired promptly.

Vehicle ramps/lifts and kneelers are inspected daily. Regular preventative maintenance is performed on the ramp/lift on a scheduled basis. Vehicle Operators are instructed to report defects/failures in the ramp/lift immediately to dispatch.

Brown Cab Inc. staff will promptly remove the vehicle with the malfunctioning ramp/lift from service. Repairs to the ramp/lift are made promptly. The vehicle will not be returned to service until the ramp/lift has been repaired.

At any time, if an accessibility feature on a **Brown Cab Inc.** vehicle is inoperable **Brown Cab Inc.** will take reasonable steps to accommodate individuals with disabilities who rely on these features.

In the event of an inoperative device or impaired accessibility feature, the vehicle will be removed from the assigned route until all repairs are complete. If the device or accessibility feature occurs or is noticed during the middle of a shift, the vehicle will either be repaired or removed from the route prior to the start of the next service day.

III. PASSENGER RESPONSIBILITIES

General Passenger Condition

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

Any passenger whose medical condition is such that the passenger is incoherent or requires immediate medical attention to sustain life may be denied service. General public demand response service is to be considered a “common carrier” and does not perform ambulance or emergency service.

Rules of Conduct

The rules of conduct will assist in the safety and comfort of the riders and operator. Riders who violate rules of conduct are subject to penalties, up to and including suspension of service.

- ✓ No eating, drinking, or smoking on board.
- ✓ No abusive, threatening, or obscene language or actions on board or intent to act in any prohibited behaviors shared while requesting the service.
- ✓ No physical abuse of another rider or the vehicle operator.
- ✓ No operating or tampering with any equipment while on board.

If the driver reasonably believes a passenger’s physical condition or conduct is hazardous, or if a passenger possesses weapons, instruments or equipment that are reasonably believed to be dangerous, service may be terminated immediately.

For more information, see **Brown Cab Inc.’s Rules of Conduct Policy**.

Requesting Service

Trip Reservation

ADA requires that next day service be provided.

Trip scheduling is made on a first come, first served basis with no consideration as to the presumed or expressed trip purpose. Adjustments to requested trips shall only be suggested by **Brown Cab Inc.** due to constraints on operational capacity regarding currently booked trips.

Brown Cab Inc. has no limitation on the number of trips per day or trips per person that can be made.

Passengers can schedule service by calling **Brown Cab Inc.** Please see website for **city/municipality** specific phone numbers at <https://runninginc.net/RunningIncHome> and provide the following information:

1. Name
2. Phone Number
3. Pick-Up Address
4. Destination Address
5. Desired Pick-Up Time
6. Desired Drop-Off Time (Appointment Time)
7. Number of Passengers (including a Personal Care Attendant (PCA) or companion)
8. If Round Trip, Time of Return Trip
9. If a Mobility Device will be used

Negotiating a Pickup Time

Brown Cab Inc. may negotiate pickup times with an individual, however **Brown Cab Inc.** may not require riders to schedule a trip to begin more than **one (1) hour** before or after the individual's desired departure time if the trip request is for next day (or beyond).

Reasonable Modifications

If a passenger with a disability requires modification of any **Brown Cab Inc.'s** policies and practices to accommodate their disability to use the service, the passenger may request such a modification.

Brown Cab Inc. will work with the individual to find an acceptable accommodation solution. **Brown Cab Inc.** will consider all such requests unless the request would create a direct threat to the health or safety of others, including passengers; the individual making the request is otherwise able to fully use the service without the modification; or making the modification would create an undue financial or administrative burden.

See **Brown Cab Inc.'s Reasonable Modification Policy** attached.

Tip Denials

Brown Cab Inc. records *all* trip requests, regardless of whether the trip is denied.

Trip denials result when agencies do not accept trip requests. Avoiding denials means properly planning service, allocating resources, and managing operations to meet 100 percent of expected demand.

Examples of trip denials include:

- A rider requests a next-day trip and the transit agency says it cannot provide that trip.
- A rider requests a next-day trip and the transit agency can only offer a trip that is outside of the 1 hour negotiating window. This represents a denial regardless of whether the rider accepts such an offer.
- A rider requests a round-trip and the agency can only provide one leg of the trip. If the rider does not take the offered one-way trip, both portions of the trip are denials.

To ensure a pattern or practice of a substantial number of trip denials is not occurring, **Brown Cab Inc.** uses a ***Trip Denial Log*** to document and analyze all trip denials, including such details as the rider's identification, date of request, date and time of requested trip(s), origin and destination, and reason for denial.

Every attempt will be made to avoid trip denials.

Cancellations

Riders should telephone the **Brown Cab Inc.** office as soon as possible once it is determined that the rider no longer requires the scheduled pickup.

No Shows

A no-show occurs when the **Brown Cab Inc.** arrives at the pickup location on time and the driver waits at least **five (5)** minutes after the negotiated pickup time, but the rider fails to appear.

The driver will wait until the negotiated pickup time to begin a 5-minute countdown and to wait until the full 5 minutes have elapsed before departing without the rider. For example, when the negotiated pickup time is 11:00am and the vehicle arrives at 10:55am, the driver will wait for the rider at least until 11:05am before departing.

No-shows due to **Brown Cab Inc.** staff error or circumstances beyond a rider's control do not count as a no-show

Transit agencies are able to establish a process for suspending service to individuals who are unduly disrupting operation with frequent no-shows. See copy of ***No Show Policy*** attached.

Riding General Public Demand Response Service

On Time Performance & Pickup Time Window

Transit agencies may use pickup windows to enable shared-ride scheduling. FTA considers pickups on time as long as drivers arrive at pickup locations within the established pickup window.

Once the negotiated time is established, the **Brown Cab Inc.** pickup window shall be defined as a **30-minute** period beginning **30 minutes** before the scheduled negotiated time, to **30 minutes** after the negotiated time.

Riders must be ready to board the vehicle within the pickup window. The driver will wait for a maximum of **five (5) minutes** after the negotiated time for the rider.

A good practice used by **Brown Cab Inc.** when confirming trips during reservation calls is to restate the negotiated time and the beginning and end of the pickup window.

Driver Assistance

Drivers will be properly trained in the use of accessibility equipment as well as sensitivity to people with disabilities.

Drivers will make themselves available to assist individuals with disabilities and will assist upon request of the passenger. Drivers will assist the passenger using the vehicle ramp, lift, and/or securement systems using the accessibility

The staff of **Brown Cab Inc.** will not lift a passenger, leave a vehicle unattended, or out of visual observation for a lengthy period of time, enter a rider's home, care for service animals, operate a power chair, provide personal care attendant (PCA) service, or take actions that would clearly be unsafe.

If more extensive assistance is needed by the individual than **Brown Cab Inc.** can provide as provider or transportation, the individual will be responsible for arranging personal assistance. **Brown Cab Inc.** will work with the individual and/or caregiver/social worker to clarify parameters of the assistance that can be provided by **Brown Cab Inc.**

Drivers are not permitted to do the following:

- ✓ Maneuver a wheelchair up or down any steps. This rule is provided for the safety of the passenger and the driver.
- ✓ Deny an individual transportation because a vehicle's securement system is unable to secure the mobility device.
- ✓ Provide a level of assistance that constitutes a direct threat to the health or safety of the driver.

Safety Tips

- Be sure the driver is ready to assist you before approaching the lift or ramp.
- Follow the instructions given by the driver.
- If you use a wheelchair, make sure it is properly tied down and the brakes are on.
- If you use a power wheelchair, turn off the power after it has been secured.
- Always wear your seatbelt.

Service may not be rendered if the vehicle cannot access the origin or destination location, or if the location does not provide safe passage for the vehicle or safe access to the vehicle by the passenger. The driver shall immediately call the dispatcher for further instructions in such case.

Accommodations of Wheelchairs

All wheelchairs are required to be secured within the securement system to ensure that the wheelchair remains secured. However, **Brown Cab Inc.** will not deny transportation to a wheelchair or its user on the ground that the device cannot be secured or restrained satisfactorily by the vehicle securement system.

Individuals using wheelchairs/mobility devices shall be transported in **Brown Cab Inc.** vehicles if their wheelchair/mobility device meets the following criteria:

- Device must meet the definition in FTA 49 CFR 37.3: “A mobility aid belonging to any class of three or more-wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered.
- The wheelchair/mobility device and occupant combined weight does not exceed that of the lift specifications and the carriage of the wheelchair is demonstrated to be consistent with legitimate safety requirements.
- **Brown Cab Inc.** does not permit riders who use wheelchairs to ride in places other than designated securement locations in the vehicle, proper wheelchair securement procedures must be used.
- The wheelchair/mobility device width must be compatible so as to fit on the ramp and within the securement area.

Persons with mobility disabilities may use devices other than wheelchairs to assist with locomotion such as canes, walkers, crutches etc. The devices will be accommodated on the same basis as wheelchairs.

Ramp/Lift and Securement

Drivers are instructed to deploy the ramp/lift when operating vehicles to provide accessibility for all riders. Drivers shall not refuse to permit a passenger who uses a lift/ramp to disembark from a vehicle at any designated stop, unless the lift cannot be deployed, the lift will be damaged if it is deployed, or temporary conditions at the stop, not under the control of the entity, preclude the safe use of the stop by all passengers.

Brown Cab Inc. requires that all wheelchairs be secured. Drivers should not allow a passenger to ride if they are not secured properly unless the securement system will not accommodate the wheelchair. Drivers cannot deny a passenger a ride based on the inability to secure the wheelchair. However, drivers must warn the passengers of the danger of riding in a non-secured wheelchair. Passengers who refuse to allow their wheelchairs to be secured may be denied service.

Securement of wheelchairs is the responsibility of the driver. Drivers are trained in the proper operation of all securement equipment based on the equipment manufacturer’s specifications. Drivers will listen to and respect rider’s instructions on how to secure their equipment. Drivers cannot be expected to be familiar with each and every wheelchair type that may come aboard, and securement attachment points may differ by wheelchair manufacturer. The rider may be in the best position to instruct the driver on how to properly secure their mobility device.

If the securement system is not compatible with the wheelchair the passenger is using, the driver will still make an attempt to safely secure the wheelchair. If the wheelchair cannot be secured because of the wheelchair design, the passenger still has the right to ride in the vehicle. Seat belts will never be used instead of independent securement of the passenger’s wheelchair.

Drivers must secure wheelchairs in designated securement area only, even if the passenger wants the mobility device to be secured in a non-designated area. The wheelchair is not allowed to block the aisle.

Seat Belts

Seat belts and shoulder harnesses are required for ALL passengers. Seat belts will never be used instead of independent securement of the passenger's wheelchair.

In cases where an individual using a wheelchair attempts to board and requires use of a securement location that is currently occupied by another passenger that is not using a wheelchair, the driver will ask that passenger to allow the individual using a wheelchair to use the securement position.

IV. MISCELLANEOUS

Medical Equipment

Brown Cab Inc. shall not prohibit an individual with a disability from traveling with a respirator or portable oxygen supply. **Brown Cab Inc.** allows riders to use the concentrators as needed while aboard the vehicle.

Service Animals and Accommodations of Animals

Under the Americans with Disabilities Act (ADA) of 1990, a *service animal* means a guide dog, signal dog or other animal individually trained to work or perform tasks for 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 fetching dropped items.

As such, it is the policy of **Brown Cab Inc.** to allow *service animals* to accompany their owner without restraint.

Brown Cab Inc. cannot require riders to provide documentation for their service animal before boarding a vehicle or entering a facility, but personnel may ask riders two questions: (1) is the animal a service animal required because of a disability? and (2) what work or task has the animal been trained to perform?

The ADA allows for the imposition of legitimate safety requirements necessary for the safe operation of service. **Brown Cab Inc.** may require use of a secured pet travel carrier for any animal that is a health or safety hazard regardless of the kind of training it has received and what function it serves for its owner.

Carry-on Packages

Drivers will help passengers take lightweight items off the vehicle and set them on the curb. If additional assistance is required, this assistance may be rendered on a case-by-case basis.

Inclement Weather

In the unlikely event of service cancellation due to inclement weather, **Brown Cab Inc.** personnel shall attempt to contact all scheduled passengers.

Lost and Found

Brown Cab Inc. will not be responsible for items left on vehicles. However, if found, the item(s) will be held for 30 calendar days. If the item is not claimed within 30 calendar days, it may be donated to a local charitable organization.

Passengers attempting to local lost items should contact **Brown Cab Inc.** If the passenger's item has been

located, every effort will be made to return the item to the passenger on their next scheduled trip.

V. Complaint Procedure

How to File a Complaint

The **Municipality** as a recipient of federal financial assistance must develop a procedure for investigating, tracking, and resolving Title VI/ADA Nondiscrimination complaints regarding its demand response public transportation service provided by **Brown Cab Inc.**

Information on transportation services provided by **Brown Cab Inc.** to Wisconsin municipalities is available on the **Brown Cab Inc.** website at: <https://runninginc.net/RunningIncHome>

For information on each **municipality's** civil rights program, ADA obligations, and the procedures to file a complaint, contact City Hall of designated **municipality**. For hearing impaired, please use Wisconsin Relay 711 service <https://wisconsinrelay.com>.

Attachments

- **Rules of Conduct Policy**
- **No-Show Policy**
- **Reasonable Modification Policy**
- **Appeals Process**
- **Trip Denial Log**

Brown Cab Inc. - Rules of Conduct Policy

Rules of Conduct

The rules of conduct will assist in the safety and comfort of the riders and operator. Riders who violate rules of conduct are subject to penalties, up to and including suspension of service.

- ✓ No eating, drinking, or smoking on board.
- ✓ No abusive, threatening, or obscene language or actions on board or intent to act in any prohibited behaviors shared while requesting the service.
- ✓ No physical abuse of another rider or the vehicle operator.
- ✓ No operating or tampering with any equipment while on board.

If the driver reasonably believes a passenger's physical condition or conduct is hazardous, or if a passenger possesses weapons, instruments or equipment that are reasonably believed to be dangerous, service may be terminated immediately.

Suspension of Service due to Prohibited Conduct

Any violation of a rule of conduct listed above will result in an immediate 7-day suspension from service. After the suspension has begun **Brown Cab Inc.** administrative staff will review the circumstances. Upon review, the suspension can either be lifted, extended, or continued indefinitely.

Payment of fare is required. Non-payment of the taxi fare will result in a suspension until the required payment is made.

Brown Cab Inc. riders have the right to an administrative appeal if they do not agree with a decision to suspend service for No Shows, Disruptive Conduct, or Reasonable Modification.

See **Brown Cab Inc.'s Appeals Process** for more information.

Brown Cab Inc. - No-Show Policy²

Brown Cab Inc.'s no-show policy includes:

- Policy statement
- Definition of No-Shows
- Description of minimum driver wait times within pickup windows
- Examples of No-Shows beyond a rider's control and how riders should communicate such instances
- Statement that No-Shows due to **Brown Cab Inc.** errors do not count
- Statement that subsequent trips after a No-Show will not be automatically cancelled, and that passengers need to cancel any trips they do not intend to take
- **Brown Cab Inc.**'s process to notify riders of recorded No-Shows
- What constitutes a pattern and practice of excessive No-Shows
- Time periods of potential service suspensions
- Instructions for appealing proposed suspensions

Policy Statement on No-Shows

Brown Cab Inc. understands that because its transit service allows trips to be scheduled in advance, riders may sometimes miss scheduled rides or forget to cancel rides they no longer need. **Brown Cab Inc.** also understands that riders may sometimes miss scheduled trips or be unable to cancel trips in a timely way for reasons that are beyond their control. However, repeatedly missing scheduled trips (or failing to cancel trips in a timely way) can lead to suspension of service. The following information explains **Brown Cab Inc.**'s No-Show policy.

Definitions: No-Show, Pickup Window

A No-Show occurs when a rider fails to appear to board the vehicle for a scheduled trip. This presumes the vehicle arrives at the scheduled pickup location within the pickup window and the driver waits at least **five [5] minutes**.

Pickup Window

The pickup window is defined as from **30 minutes** before the scheduled pickup time to **30 minutes** after the scheduled pickup time. Riders must be ready to board a vehicle that arrives within the pickup window. The driver will wait for a maximum of **five [5] minutes** within the pickup window for the rider to appear.

Definition: No-Shows Due to Operator Error or to Circumstances Beyond a Rider's Control

Brown Cab Inc. does not count as No-Shows as any missed trips due to our error, such as:

- Trips placed on the schedule in error
- Pickups scheduled at the wrong pickup location
- Drivers arriving and departing before the pickup window begins
- Drivers arriving late (after the end of the pickup window)
- Drivers arriving within the pickup window but departing without waiting the required **five [5] minutes**.

² Source - FTA 4710.1 Attachment 9-4 - <https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/americans-disabilities-act-guidance-pdf>

Brown Cab Inc. does not count as No-Show situations beyond a rider's control that prevent the rider from notifying us that the trip cannot be taken, such as:

- Medical emergency
- Family emergency
- Sudden illness or change in condition
- Appointment that runs unexpectedly late without sufficient notice

Riders should contact the transit operations center when experiencing No-Shows due to circumstances beyond their control.

Policy for Handling Subsequent Trips Following No-shows

When a rider is a No-Show for one trip, all subsequent trips on that day remain on the schedule unless the rider specifically cancels the trips. To avoid multiple No-Shows on the same day, riders are strongly encouraged to cancel any subsequent trips they no longer need that day.

Suspension Policies for a Pattern or Practice of Excessive No-shows

Brown Cab Inc. reviews all recorded No-Shows to ensure accuracy before recording them in a rider's account. **Brown Cab Inc.** reserves the right to suspend from services any rider who establish a pattern or practice of missing scheduled trips.

Each verified No-Show consistent with the above definitions counts as **(1)** penalty point. Riders will be subject to suspension after the meet all of the following conditions:

- Accumulate **3** penalty points in one calendar month
- Have booked at least **3** trips that month
- Have "No-Showed" or "late cancelled" at least **10%** percent of those trips

A rider will be subject to suspension only if both the minimum number of trips booked and the minimum number of penalty points are reached during the calendar month.

Brown Cab Inc. will attempt to notify riders by telephone after they have accumulated **2** penalty points and would be subject to suspension should they have verified "no shows" of 10% of total booked trips. All suspension notices include a copy of this policy, information on disputing No-Shows and how to appeal suspensions.

Violations result in the following:

- First violation: Triggers attempting a warning phone call and written letter, but no suspension
- Second violation: **7 calendar days** suspension
- Third violation: **14 calendar days** suspension
- Fourth violation: **21 calendar days** suspension
- Fifth and subsequent violations: **28 days** suspension

Note: Suspension schedule will not exceed 30 days.

Policy for Disputing Specific No-Shows

Riders wishing to dispute specific No-Shows must do so within **10 business days** of receiving suspension letters. Riders should contact the **Brown Cab Inc.** operations center to explain the circumstance and request the removal of the No-Show.

Policy for Appealing Proposed Suspensions

Riders wishing to appeal suspensions under this policy have the right to file an appeal request in-person, via phone, email, or US mail within **30 business days** of receiving a suspension letter. Riders who miss the appeal request deadline will be suspended from the transit service on the date listed on the suspension notice.

All suspension appeals follow **Brown Cab Inc.'s Appeal Process**.

Brown Cab Inc.'s

Reasonable Modification Policy

1. Purpose

The purpose of the reasonable modification policy is to ensure that **Brown Cab Inc.** offers equitable and effective opportunities and access to public transportation services for persons with disabilities and full compliance with the provisions of Title II of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.

2. Policy

Brown Cab Inc. is committed to providing equitable access and opportunity to individuals with disabilities in all programs, services, and activities. **Brown Cab Inc.** recognizes that in order to have equitable and effective opportunities and benefits, individuals with disabilities may need reasonable modification to policies, practices, and procedures. **Brown Cab Inc.** will adhere to all applicable federal and state laws, regulations, and guidelines with respect to providing reasonable modifications, as necessary, to afford equal access to programs for persons with disabilities. **Brown Cab Inc.** does not discriminate based on disability in admission to, participation in, or receipt of services and benefits under any transit program or activity. **Brown Cab Inc.** will take appropriate steps to ensure that persons with disabilities have an equal opportunity to participate.

No individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of **Brown Cab Inc.**, or be subject to discrimination by **Brown Cab Inc.**

3. Eligibility Criteria

An individual is eligible to request a reasonable modification consideration if that individual experiences a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or been regarded as having such impairment¹.

4. Reasonable Modification

A reasonable modification is a change or exception to a policy, practice, or procedure that allows individuals with disabilities to have equitable access to programs, services, and activities. **Brown Cab Inc.** will make reasonable modifications to policies, practices, and procedures when necessary to ensure access to transit services for individuals with disabilities, unless:

¹ Americans with Disabilities Act, Title 42, Chapter 126, Section 12102

- Making the modification would fundamentally alter the nature of the public transportation service.
- Making the modification would create a direct threat to the health or safety of others including passengers.
- The individual with a disability is able to fully use the transportation service without the modification.
- Making the modification would create an undue financial or administrative burden.

For the purposes of this section, the term reasonable modification shall be interpreted in a manner consistent with the term “reasonable accommodations” as set forth in the Americans with Disabilities Act title II regulations at 28 CFR 35.130(b)(7), and not as it is defined or interpreted for the purposes of employment discrimination under title I of the ADA (42 U.S.C. 12111–12112) and its implementing regulations at 29 CFR part 1630.

5. Requests for Reasonable Modification

Brown Cab Inc. shall make information about how to contact **Brown Cab Inc.** to make requests for reasonable modification readily available to the public. **Brown Cab Inc.** shall follow these procedures in taking requests:

- a. Individuals (or their representatives) requesting modifications shall describe what they need in order to use the service.
- b. Individuals requesting modifications are not required to use the term “reasonable accommodation or reasonable modification” when making a request. **Brown Cab Inc.** will determine if the request represents a reasonable modification and proceed in considering the request according to ADA guidelines and this policy.
- c. Whenever feasible, **Brown Cab Inc.** requests that individuals make such requests for reasonable modification in advance, if possible, to allow time to consider the request and, if approved, to make the appropriate modification to affected policies, practices, and/or procedures.
- d. Where a request for modification cannot practicably be made and determined in advance, **Brown Cab Inc.** personnel shall make a determination of whether the modification can be made at the time of the request. Operating personnel should consult with **Brown Cab Inc.** management before making a determination to grant or deny the request.

Requests for accommodation may be made either orally or in writing. The reasonable modification process begins as soon as the request is received.

Reasonable modification request forms are by contacting **Brown Cab Inc.** by phone or email.

The request can be submitted in any written format. Alternative means of filing a request, such as personal interviews, phone calls, or taped requests, will be made available for persons with disabilities if unable to communicate their request in writing or in advance.

6. Interactive Process

When a request for modification is made, **Brown Cab Inc.** and the individual requesting the modification must engage in a good faith interactive process to determine what, if any modification shall be provided. The individual and **Brown Cab Inc.** must communicate with

each other about the request and the process for determining whether a modification will be made. Communication is a priority throughout the entire process.

7. Time Frame for Processing Requests and Providing Reasonable Modification

Brown Cab Inc. will process requests for reasonable modification and then provide the modification, where appropriate, within thirty (30) business days. **Brown Cab Inc.** recognizes, however, that the time necessary to process a request will depend on the nature of the modification(s) requested and whether it is necessary to obtain supporting information.

8. Granting a Reasonable Modification Request

As soon as **Brown Cab Inc.** determines that a reasonable modification will be provided, that decision shall immediately be communicated to the individual. This notice will be in writing in order to maintain the required record for reporting purposes. However, upon request, alternative means of response will be provided.

In choosing among alternatives for meeting nondiscrimination and accessibility requirements with respect to new, altered, or existing facilities, or designated or specified transportation services, **Brown Cab Inc.** shall give priority to those methods that offer services, programs, and activities to individuals with disabilities in the most integrated setting appropriate to the needs of individuals with disabilities.

9. Denying a Reasonable Modification Request

As soon as **Brown Cab Inc.** determines that a request for reasonable modification will be denied, **Brown Cab Inc.** will communicate the basis for the decision in writing to the individual requesting the modification. When requested, alternative means of response also will be provided. The explanation for the denial will clearly state:

- a. the specific reasons for the denial;
- b. any alternative modification that may create the same access to transit services as requested by the individual; and
- c. the opportunity to file an appeal relative to the **Brown Cab Inc.** decision on the request.

10. Appeal Process

Brown Cab Inc. will follow its existing procedure for investigating and tracking complaints/appeals. Alternative means of filing an appeal, such as personal interviews, phone calls, or taped requests, will be made available for persons with disabilities if unable to communicate their request in writing or in advance.

11. Designated Employee

Brown Cab Inc. shall designate one official within the organization responsible for processing reasonable modification requests and handling appeals. This individual is: Amanda Running, 608-637-2599 ext 4, humanresources@runninginc.net, 318 W Decker St, Viroqua, WI, 54665.

12. Record Retention

Brown Cab Inc. will maintain all records related to reasonable modification requests and denials for at least three (3) years.

Request for Reasonable Modification

Date:	
Submitted by:	
Cell Phone:	
Email:	

Submitted on behalf of: (please specify)

X	Myself	
X	Someone else (<i>insert name of rider</i>)	

Contact Information of Rider

Address	
Phone	
Email	

Please describe what modification the rider needs to use the transportation service: (if additional space is needed, please use the back of the form).

--

Does the person needing modification currently ride Brown Cab Inc. ?

Yes No

If yes, please describe the current riding experiences without this requested modification.

--

Submit this form via:

- 1) Attention: **Amanda Running**
- 2) Mail to: Brown Cab Inc. , **318 W. Decker St. Viroqua, WI, 54665**
- 3) Email to: `humanresources@runninginc.net`

Brown Cab Inc. will process requests for reasonable accommodation and then provide the modification, where appropriate, within thirty (30) business days. **Brown Cab Inc.** will communicate directly with the person requesting the modification. **Brown Cab Inc.** recognizes, however, that the time necessary to process a request will depend on the nature of the modification(s) requested and whether it is necessary to obtain supporting information. If the modification is denied, an appeal process is in place.

Official Use Only

	Date Received:	
	Request Number:	
Notes:		
Approved/Denied: (Specify)		
Official Name:		
Date:		

Brown Cab Inc. - Appeals Process

“You Have the Right to Appeal”

Brown Cab Inc. riders have the right to an administrative appeal if they do not agree with **Brown Cab Inc.’s** decision to suspend service for No Shows or Disruptive Conduct, or for denying a request for Reasonable Modification.

You may appeal in writing or in person. You must submit the written **Notice of Appeal form** if you wish to file an appeal.

Appeals will be heard by a **Brown Cab Inc.** staff member(s) not involved in the suspension/reasonable modification process. The decision of the independent **Brown Cab Inc.** staff member(s) is final.

Brown Cab Inc. will inform **municipality** of rider appeals.

Designated Employee

Brown Cab Inc. has designated one official within the organization responsible for handling appeals.

For information on how to submit an appeal, please contact Amanda Running, 608-637-2599 ext 4, humanresources@runninginc.net, 318 W Decker St, Viroqua, WI, 54665.

No Show Appeals

If you are appealing a service suspension for violation of **Brown Cab Inc.’s** No Show service **will be** provided until an appeal hearing is concluded and a decision rendered.

Disruptive Conduct Appeals

If you are appealing a service suspension for violent, seriously disruptive, or illegal behavior, service **will NOT** be provided during the appeal process.

Reasonable Modifications Appeals

If you are appealing the decision made by **Brown Cab Inc.** regarding a reasonable modification request determination, service **will NOT** be provided during the appeal process.

Civil Rights Complaints

Information on transportation services provided by **Brown Cab Inc.** to Wisconsin municipalities is available on the **Brown Cab Inc.** website at: <https://runninginc.net/RunningIncHome>

For information on each **municipality’s** civil rights program, ADA obligations, and the procedures to file a complaint, contact City Hall of designated **municipality**. For hearing impaired, please use Wisconsin Relay 711 service <https://wisconsinrelay.com>.

If you have questions or concerns regarding **Brown Cab Inc.’s** suspension/appeals decision, contact the **municipality**.

Brown Cab Inc. – Appeals Form

No Show/Disruptive Conduct/Reasonable Modification

If you wish to submit an appeal, please complete this form, and return it as soon as possible. Appeals must be returned within **30 Days** of your notification of suspension.

Rider Information			
Name:		Phone:	
ID#:		Email:	
Address:			

Please check one of the following:

<input type="checkbox"/>	I wish to appeal in person. Individuals choosing to appeal in person will be contacted by Brown Cab Inc. to schedule the appeal hearing. Hearings may be conducted by teleconference at Brown Cab Inc.'s discretion.
<input type="checkbox"/>	I wish to appeal in writing. I understand the final decision on my appeal will be based solely on written materials in possession of Brown Cab Inc. and those I am submitting with this form. (If you choose to appeal in writing, you must state specifically why you disagree with the suspension. You should provide supporting documentation.)

Tell us why you are appealing: (attach additional pages and documentation, if needed)

Signature/Date: (This form will be returned if unsigned)

Name:	_____	Date:	_____
Signature:	_____		

Return this form and include any supporting documentation to:

Brown Cab Inc.
Amanda Running
318 W Decker St.
Viroqua WI 54665
608-637-2599 Ext 4
humanresources@runninginc.net

Example Only - This document is an example of the type of information **Running Inc** gathers to document and analyze trip denials to ensure a pattern or practice of a substantial number of trip denials is not occurring.

Trip Denial Log

Date	Name	Rider ID #	Is the Rider Disabled? Yes/No	Limited English Proficient? Yes/No	Trip Request		Origin	Destination	Reason for Trip Denial	Wait List? Yes/No	Trip Request		Origin	Destination	Reason for Trip Denial	Wait List? Yes/No
					Day	Time					Day	Time				

Notes: FTA C 4701.1

It is noted that **all** trip requests should be recorded, regardless of whether the trip is denied.

The purpose of this log is to track the characteristics of trip denials to help determine the underlying causes in order to take steps necessary to prevent future denials.

Examples of Trip Denials:

Counting the number of trip denials means accounting for **all** trips that the rider is unable to take because of the denial.

1. A rider requests a next-day trip, and the transit agency says it cannot provide that trip.
2. A rider requests a next-day trip, and the transit agency can only offer a trip that is outside the one-hour negotiating window (before or after the individual’s desired departure time). This represents a denial regardless of whether the rider accepts such an offer.
3. A rider requests a round-trip and the transit agency denies a rider the outbound portion of a requested round-trip and only offers a return trip. If the rider then elects not to travel at all, this represents two denials. However, if an agency denies a "going" trip and the rider accepts a return trip, then this is counted as one denial.

Limited English Proficiency: Only log callers whose English is so limited that either: (a) the trip cannot be serviced; or (b) the call must hand off the phone to someone else to complete the order.