

# Zapata County Transportation

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COUNTY CLERK

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ZAPATA COUNTY TEXAS

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## AMERICANS WITH DISABILITIES ACT

### Transportation Policy Statement

Approved by Commissioner's Court

9/13/2021

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Date

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## **Introduction**

ZAPATA COUNTY TRANSPORTATION services were developed to provide safe and efficient transportation to the general public and to persons with special needs as specified by Americans with Disabilities Act (ADA) and as defined by contracts into which ZAPATA COUNTY TRANSPORTATION may enter from time to time.

## **Goal**

It is the goal of ZAPATA COUNTY TRANSPORTATION services to implement and maintain an efficient and effective transportation system to serve the general public.

## **Objectives**

The specific objectives of ZAPATA COUNTY TRANSPORTATION services are:

1. To provide transportation designed to accommodate the general public and persons with disabilities, and
2. To maintain a trained staff for the operation and control of the system.

## **Policy**

It is the policy of ZAPATA COUNTY TRANSPORTATION that no otherwise qualified person shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity undertaken by ZAPATA COUNTY TRANSPORTATION. ZAPATA COUNTY TRANSPORTATION serves persons without regard to race, sex, religion, or national origin.

## **General Procedures**

### **• Reservations**

To arrange a ride customers need to call ZAPATA COUNTY TRANSPORTATION at 956-765-4590. Please be prepared to provide your name, the addresses of the pick-up and drop-off points, your arrival and departure times, and any special accommodations you may need.

Customers are required to telephone ZAPATA COUNTY TRANSPORTATION to reserve a ride at least one (1) day but not more than two (2) weeks in advance of the desired trip. Reservations are accepted from 8 a.m. to 4 p.m. daily, Monday through Friday. If a return ride is required, it should be scheduled at that same time. If scheduling permits, ZAPATA COUNTY TRANSPORTATION may accommodate customers on shorter notice.

### **• Scheduling Tips**

Many factors can affect your travel plans. Weather can affect traffic conditions and slow service. Medical appointments, for example, are often delayed, so it is better to overestimate rather than under estimate your travel and appointment times. Please take into account any conditions that may affect your pick-up and drop-off times.

- **Customer Responsibilities**

Customers are expected to be ready and waiting just inside the entrance door or other pre-arranged location at the agreed upon time. Customers finding that they will be unable to meet the ZAPATA COUNTY TRANSPORTATION driver at the location or time schedule are expected to call ZAPATA COUNTY TRANSPORTATION and advise them as soon as possible. In the event that ZAPATA COUNTY TRANSPORTATION is unable to meet the customer at the agreed upon time, ZAPATA COUNTY TRANSPORTATION will make every effort to alert the customer of this change.

- **Cancellations Policy**

ZAPATA COUNTY TRANSPORTATION requires one (1) day cancellation notice before scheduled pick- up time. Less than one (1) day notification is considered a No-Show. Failure to cancel may result in the loss of transportation privileges.

- **No-Show**

ZAPATA COUNTY TRANSPORTATION buses will wait five (5) minutes at each scheduled pick up point for customers. Customers who are more than 5 minutes late or fail to meet the bus for any reason are considered No Shows.

Customers are given notice that three (3) No-Shows in a thirty-day (30) period will result in the suspension of services for a period of one (1) month. In the event the problem continues service can be suspended permanently.

## **Passenger Wheelchairs and Other Mobility Aids**

All wheelchairs are accommodated on ZAPATA COUNTY TRANSPORTATION vehicles if the lift and vehicle can physically accommodate them, unless doing so is inconsistent with legitimate safety requirements. "Legitimate safety requirements" includes such circumstances as a wheelchair of such size that it would block an aisle, or would be too large to fully enter a railcar, would block the vestibule, or would interfere with the safe evacuation of passengers in an emergency.

Wheelchairs are defined to include three-or more wheeled devices. ZAPATA COUNTY TRANSPORTATION will deny service to customers with wheelchairs that are inconsistent with legitimate safety requirements. ZAPATA COUNTY TRANSPORTATION requires customers to transfer from 3-wheel scooters to a bus seat in order to ensure customer safety. Boarding chairs will be provided if requested at the time of scheduling transportation.

**ZAPATA COUNTY TRANSPORTATION** reserves the right to deny service if the situation is determined to be unsafe for the passenger and/or the driver.

## **Wheelchair Securement**

The ZAPATA COUNTY TRANSPORTATION requires that all wheelchairs, and/or mobility devices, along with the individual be secured with all provided securement devices and seatbelts. All passengers are required to wear seat belts.

Those individuals whom do not want their wheelchair secured but are physically able to transfer to a seat will be asked to do so and to wear the appropriate seatbelt. The wheelchair or mobility device must then be either secured or folded and placed in a position as to not allow freedom of movement while the bus is in motion.

Any individual with a wheelchair or mobility device that can be secured, but refuses to allow the device to be secured, will have potential hazards explained to them. These hazards may include, but not be limited to, those that could result in damage or injury to themselves and/or their mobility device from not being properly secured while in transit should an accident or incident occur. They also may have future service declined to them for safety reasons. Federal regulations allow service to be declined for safety reasons.

If the wheelchair or mobility device cannot be secured, the individual will not be denied transportation. Instead, if the individual is physically able to he/she will be asked to transfer to a seat and will be required to wear a seatbelt. If the individual is physically unable to transfer, he/she will be asked to remain in their mobility device and will be asked to be secured, at a minimum with the shoulder harness-seatbelt.

## **Lift Deployment**

Low floor buses have boarding ramps that the operator can deploy upon request. High floor buses are equipped with power lifts for anyone who cannot use the stairs to board. Set the brakes on the wheelchair/mobility device and turn off the power. Back the mobility device onto the lift. If standing on the lift hold onto the hand rail.

## **Reasonable Modification**

ZAPATA COUNTY TRANSPORTATION does respond to a rider's need for reasonable modifications even if the rider did not specifically use the term "reasonable modification" in their request for service. [49 CFR 37.169(b) (2)].

ZAPATA COUNTY TRANSPORTATION operating personnel can make reasonable modification determinations at the time of request. [49 CFR 37.169(b) (4)].

ZAPATA COUNTY TRANSPORTATION will deny any reasonable modification request if it is determine that granting the quest will:

1. Fundamentally alter the nature of ZAPATA COUNTY TRANSPORTATION transit service.
2. Create a direct threat to the health or safety of others.

3. Create an undue financial or administrative burden for ZAPATA COUNTY TRANSPORTATION.
4. Services or programs can be used without the request modification.

- **Portable Oxygen and Respirators**

ZAPATA COUNTY TRANSPORTATION allows customers to travel with portable oxygen and other life support equipment. ZAPATA COUNTY TRANSPORTATION may require a customer to supply his or her own Personal Care Attendant (PCA).

- **Immobility**

If the customer is incapable of self-mobility, or if self-mobility is possible but risk of falling or physical injury exists, and the assistance of a PCA would provide mobility or lessen the danger of injury, then the customer's attendant may accompany the customer at no cost.

- **Disorientation**

If the customer, due to a visual or mental impairment, is unable to properly orient him/herself and navigate to reach a destination, and the assistance of a PCA is required, the customer's attendant may ride at no cost.

- **Non-Comprehension**

If the customer, due to mental impairment, is unable to adequately perform those mental processes necessary to handle common occurrences, or is unable to effectively control his/her own actions, and the assistance of a PCA is required, then the customer's attendant may ride free.

- **Communication Impairment**

If the customer is unable to effectively transmit or receive communications due to sensory or mental problems, and if these problems would prevent the customer from using the service, the customer's attendant may ride at no cost.

- **Personal Care Attendant (PCA)**

Attendants are required to specifically assist the customer, including, but not limited to, the following duties:

- Assisting the customer from his/her door to the bus and back again
- Opening doors
- Pushing wheelchairs
- Carrying packages
- Communication with the driver (if customer is unable to do so)

If a PCA does not specifically perform some type of assistance for the customer, that person is considered a guest and is charged full fare.

In addition to physician-related PCAs, attendants will be required to accompany under the following circumstances:

- Customers unable to orient him/herself and navigate to reach a destination
- Customers unable to effectively control his/her own actions
- Customers who will not remain seated and belted
- Customers using non-conventional wheelchairs and who are unable to independently transfer
- Children under seven (7) years of age, and
- Others, as required by the Transportation Coordinator

- **Service Animals**

ZAPATA COUNTY TRANSPORTATION allows customers to travel with service animals trained to assist them. All animals, with exception of service animals that are required to aid the customer (e.g., seeing-eye dog), must be contained in an approved pet travel kennel. The animal must remain restrained in the kennel throughout the trip.

## **Customer Behavior**

To assure the safety and comfort of all customers and the driver, the following activities are prohibited on all vehicles and persons who engage in these activities may be refused service:

- Smoking
- Eating and drinking
- Playing personal radios
- Consuming alcoholic beverages
- Using illegal drugs
- Being under the influence of illegal drugs and/or alcohol
- Using obscene or abusive language
- Behaving in ways that are violent or seriously disruptive
- Shoving, pushing, or behaving in a disorderly manner
- Causing damage to the vehicle

## **Driver Assistance**

ZAPATA COUNTY TRANSPORTATION drivers will assist customers with adequate time when boarding and exiting the vehicle. Drivers will secure wheelchairs, assist with seat belts, small parcels, and up to three bags of groceries. **Drivers are not permitted to carry groceries or parcels up and down stairs or steps, enter homes, or accept gifts or tips.**

## **Accidents / Incidents / Complaints**

Complaints should be reported as soon as possible after an incident to assure proper handling.

When filing a complaint, please provide the following information:

- Description of Incident or Complaint
- Your Name
- Date and Time of incident
- Where It Happened
- Vehicle Number, If Possible
- Driver Name, If Possible

ZAPATA COUNTY TRANSPORTATION personnel are available to assist customers with scheduling, to resolve problems, and to provide information about the service. Questions, suggestions, and complaints should be communicated to:

Berta G. Lopez, Director of Transportation  
Zapata County Transportation  
604 Delmar Street  
PO Box 489  
Zapata, Texas 78076  
956-765-4590  
[bertag@zapatacountytexas.org](mailto:bertag@zapatacountytexas.org)  
[www.co.zapata.tx.us/page/zapata.County.Nutrition](http://www.co.zapata.tx.us/page/zapata.County.Nutrition)

### **Grievance Procedures**

**Step 1:** The aggrieved person shall request a conference with an appropriate ZAPATA COUNTY TRANSPORTATION staff member who can most immediately deal with the problem. Efforts shall be made to resolve the problem. If these efforts prove unsuccessful, then the second step shall be taken.

**Step 2:** The aggrieved person shall present his or her grievance to the Transportation Director of ZAPATA COUNTY TRANSPORTATION. Efforts shall be made to resolve the problem. If these efforts prove unsuccessful, then the third step shall be taken.

**Step 3:** The aggrieved person shall present his or her specific grievance in a letter to the Chairperson of the ZAPATA COUNTY TRANSPORTATION Commissioners Court. If the aggrieved person needs help in preparing the letter, he or she may request assistance from a member of the ZAPATA COUNTY TRANSPORTATION staff. The Chairperson shall then convene a committee to be composed of three persons. One member, who shall serve as chairperson, shall be chosen by the ZAPATA COUNTY TRANSPORTATION Chairperson from among the ZAPATA COUNTY TRANSPORTATION Board membership. A second member shall be a user of the ZAPATA COUNTY TRANSPORTATION services and shall be chosen by the aggrieved person. A third member shall be chosen by the Chairperson of the ZAPATA COUNTY TRANSPORTATION Commissioners Court. The Committee shall then meet the aggrieved person. The hearing is limited to the specific grievance presented in the letter. Following deliberation, the committee shall present a written recommendation to the Chairperson for disposition by the ZAPATA COUNTY TRANSPORTATION Commissioner's Court.



## **Termination of Services**

If a person does not follow guidelines and procedures involving the use of ZAPATA COUNTY TRANSPORTATION, services will be terminated as follows:

1. If feasible, the person will receive two oral warnings.
2. If compliance is not achieved after the two oral warnings, the person shall receive a written warning stating in detail the area of non-compliance.
3. If compliance is not achieved after the written -warning, the person shall be notified in writing that his or her use of all or a portion of ZAPATA COUNTY TRANSPORTATION services is terminated, with a statement of reasons therefore.

## **Accessible Formats**

All information regarding ZAPATA COUNTY TRANSPORTATION services, including information contained in this policy manual, rides, guides, maps, and other documents will be made available in the following accessible formats upon request: computer disks, taped audio cassettes, braille, and large print. [49 CFR 37.125(b) & 49CFR 37.167(f)]. All information regarding the ADA paratransit service will also be available in Spanish upon request.

All information regarding ZAPATA COUNTY TRANSPORTATION services can be accessed free of charge on the Zapata County Nutrition Center website at:

[www.co.zapata.tx.us/page/zapata.County.Nutrition](http://www.co.zapata.tx.us/page/zapata.County.Nutrition)

Copies of this manual and other printed materials are readily available at the Zapata County Nutrition Center located at 604 Delmar Street, Zapata, Texas 78076.

This Zapata County Transportation Policy Statement, has been approved during Commissioner's Court on September 13, 2021 by:



Joseph Rathmell, Zapata County Judge

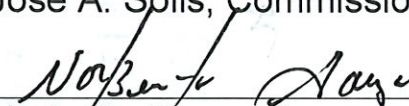


Paco Mendoza, Commissioner Pct. 1



Olga Elizondo, Commissioner Pct. 2

Jose A. Solis, Commissioner Pct. 3



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