



# National Network

Information, Guidance and Training on the  
Americans with Disabilities Act

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## The ADA & Accessible Ground Transportation

The Americans with Disabilities Act (ADA) applies to both public and private ground transportation providers. The ADA rules that apply to transportation are regulated by the U.S. Department of Transportation (DOT) and include the Code of Federal Regulations (CFR) Title 49, Part 27 (49 CFR Part 27), which requires access for people with disabilities for recipients of federal funding; 49 CFR Part 37, which regulates transportation services and facilities (e.g. buildings, stations and bus stops), and 49 CFR Part 38, which regulates vehicles and systems (e.g. lifts on buses).

### Overview of Requirements

- **Both public and private organizations must meet ADA requirements:** A public entity entering into a contract or agreement with a private entity to operate transportation services must ensure that the private entity meets all ADA requirements for the public entity. Specific requirements for private transportation providers like airport shuttles, hotel shuttles, private buses, and taxis are reviewed later in this document.
- **Rider information:** A public transportation system must provide adequate information on services in accessible formats for persons with different types of disabilities (e.g. information in large print, braille or alternative and electronic format).
- **Assistance equipment and accessible features:** Equipment and facilities such as lifts, ramps, securement devices (straps for securing wheelchairs on board), signage, and communication devices must be in good operating condition. If a feature is out of order, it must be repaired promptly. In the interim, an alternative accessible vehicle or option must be available.



- **Adequate time to board:** Public transit operators must allow adequate time for people with disabilities to board and exit from vehicles.
- **Service animals allowed:** Service animals may accompany people with disabilities in vehicles and facilities. The DOT ADA regulations define a service animal as any guide dog, signal dog or other animal individually trained to provide assistance to an individual with a disability, regardless of whether the animal has been licensed or certified by a state or local government.
- **Priority seating and signs:** Fixed-route systems (those operating along a prescribed route) must have signs designating seating for passengers with disabilities. At least one set of forward-facing seats must be marked as priority seating (for people with disabilities).
- **Operator training:** Each public and private transportation operator must ensure that personnel are trained to operate vehicles and equipment safely; properly assist individuals with disabilities in a respectful, courteous way; and recognize that individuals with disabilities have different abilities and needs requiring different types of assistance.

### Architectural Requirements

**Note:** A fixed route transportation system is one that operates along a prescribed route according to a fixed schedule. Public transportation systems primarily consist of fixed route systems, such as city bus systems, commuter and over-the road bus systems, subways, light rail systems, and intercity rail transportation. A demand responsive system is any other transportation system. Demand responsive transportation typically includes taxis, limousine services, van services, and shuttle bus systems.

Fixed-route service requirements include:

- **Stop announcements:** Stops must be announced at transfer points, major intersections, destination points, and other points so that people with visual impairments understand their location. In addition, the operator must announce any stop at the request of a rider with a disability.
- **Destination information on vehicles:** Vehicles must have destination and route information on the front and boarding side of a vehicle. There are size requirements for the numbers and letters on the route information signs. Destination and route information must be announced.



- **Lifts and Ramps:** Vehicles need a boarding device (e.g. lift or ramp) so that a passenger who uses a wheelchair or mobility device can reach a securement location onboard. Lifts must have a minimum design load of 600 pounds and lift platforms must accommodate a wheelchair measuring 30 inches by 48 inches.
- **Illumination, contrast, and slip-resistant surfaces:** Stepwells and doorways of vehicles must be illuminated. Doors and steps need slip-resistant surfaces.
- **Farebox:** Fareboxes must be located so they do not obstruct passenger flow for boarding the bus.
- **Turning room, handrails, and pull cords:** There must be sufficient turning and maneuvering space for wheelchairs. Handrails and stanchions (vertical rails) in the vehicle must be accessible. A stop control, such as a pull cord or button, should be within reach of wheelchair securement locations.

### Complementary Paratransit Service

ADA complementary paratransit service provides origin-to-destination service and must be available where fixed-route service exists. Transit agencies can establish a policy to provide door-to-door service or curb-to-curb service. For door-to-door service, a driver offers assistance from the customer's door to the vehicle and from the vehicle to the door at the destination. For curb-to-curb service, assistance is provided to the customer to enter and exit the vehicle at the curb. However, if a customer needs assistance due to disability, physical barriers in the walkway or adverse weather conditions, the driver may need to offer assistance beyond the curb to the door.

#### ADA Paratransit Service Minimum Requirements

- **Service area:** Generally within a three-quarter mile on either side of a fixed route.
- **Hours and days of service:** Same hours and days as fixed route.
- **Fare:** Fares may not exceed twice the fare that would be charged to an individual paying full fare for a fixed-route trip of similar length, at a similar time of day. A personal care attendant shall not be charged.
- **Response time:** Paratransit service must be provided at any requested time on a particular day in response to a request for service made the previous day. Real time scheduling, in which a call to the transit provider would result in pickup the same day, is allowed but not mandated.



- **Trip purpose restrictions:** No restrictions or priorities based on trip purpose are allowed.
- The following are not allowed:
  - Restrictions on the number of trips per eligible individual
  - Waiting lists for access to the service
  - Substantial numbers of significantly untimely pickups for initial or return trips
  - Substantial numbers of trip denials or missed trips
  - Substantial numbers of trips with excessive trip lengths

### Private Transportation Entities

Private entities that provide transportation services to the public are required by law to be accessible to individuals with disabilities. Private entities covered by the ADA include, but are not limited to, airport shuttles, hotel shuttles, private buses, taxis and Over the Road Bus (OTRB) companies (motor-coach buses that are characterized by an elevated passenger deck located over a baggage compartment).

If an OTRB company operates a fixed route service, they must provide accessible vehicles. Demand-responsive OTRB companies (i.e. charter/tour buses) must provide service in an accessible bus to passengers with disabilities on a 48-hour advance notice basis.

Private transportation providers that use vehicles that are not accessible must provide equivalent service (e.g., a different accessible vehicle is used to provide service to the same traveling points for the same cost within the same time frame as a regularly scheduled trip) in the most integrated setting appropriate to the needs of the individual, with respect to the following service characteristics:

- Schedules/headways (for fixed-route service)
- Response time (for demand responsive service)
- Fares
- Geographic area of service
- Hours and days of service
- Availability of information
- Reservations capability (demand responsive service)



- Any constraints on capacity or service availability
- Restrictions / priorities based on trip purpose (demand responsive service)

Note that per 49 C.F.R. § 37.29, private entities providing taxi service are not required to purchase or lease accessible automobiles. However, when a provider of taxi service purchases or leases a vehicle other than an automobile, the vehicle is required to be accessible unless the provider demonstrates equivalency. A provider of taxi service is not required to purchase vehicles other than automobiles in order to have a number of accessible vehicles in its fleet.

Additionally, private entities providing taxi service cannot discriminate against individuals with disabilities by actions including, but not limited to, refusing to provide service to individuals with disabilities who can use taxi vehicles and/or use service animals, refusing to assist with the stowing of mobility devices, and charging higher fares or fees for carrying individuals with disabilities and their equipment than are charged to other persons.

### Transit Facilities

Transit facilities, intermodal centers, rail stations and platforms must meet accessibility standards established by the U.S. DOT. The requirements apply to new construction as well as alterations made to existing facilities and include the following:

- Accessible paths of travel
- Boarding ramps and bridge plates
- Bus stops and shelters
- Curb ramps, doors, elevators, escalators, emergency alarms
- Fare collection, gates and turnstiles, grade crossings, parking
- Passenger drop-off areas, platforms edges, rescue assistance areas
- Restrooms, signs, stairs, public telephones, water fountains, wheelchair spaces

**Accessible paths:** The accessible path of travel should be as close to the general circulation path as possible. Every effort should be made to minimize any additional distance people with disabilities must travel to use ramps, elevators and other accessible features of the path.

**Level boarding:** Train doorways and station platforms must be at the same level, and gaps between them must be narrow enough for an ambulatory passenger to step across



or a wheelchair user to roll across without difficulty. Gaps should be easily spanned by a short bridge plate when necessary for people with disabilities.

### U.S. Department of Transportation and the ADA

The following U.S. DOT administrations also have a role in ensuring ADA compliance:

- Federal Highway Administration (FHWA) – ensures ADA compliance in the public right-of-way (roadway travel lanes, medians, planting strips, sidewalks) and on projects using federal surface transportation planning.
- Federal Railroad Administration (FRA) – administers intercity and commuter rail compliance with ADA and Title VI Civil Rights requirements.
- Federal Transit Administration (FTA) – FTA’s Office of Civil Rights administers Title II public transportation laws related to public transportation services and facilities for people with disabilities.
- Federal Motor Carrier Safety Administration (FMCSA) – FMCSA administers DOT’s ADA regulations requiring accessible, timely OTRB service for passengers with disabilities, including individuals who use wheelchairs for mobility.

### How to File a Complaint

#### Public Transportation Complaint

If you believe you have been discriminated against based on disability by a public transit agency, you may file an administrative complaint with the FTA Office of Civil Rights. Complaints should be filed within 180 days of the alleged act of discrimination.

You can file a complaint by using the on-line complaint form here:

[www.fta.dot.gov/civilrights/12325\\_14816.html](http://www.fta.dot.gov/civilrights/12325_14816.html).

If you have questions about filing a complaint, you can reach the FTA’s Office of Civil Rights at 1-888-446-4511 or via email at [FTA.ADAAssistance@dot.gov](mailto:FTA.ADAAssistance@dot.gov).

#### Private Transportation Complaint

The U.S. Department of Justice enforces Title III of the ADA which applies to private transportation providers. Complaints can be directed to the U.S. Department of Justice, Office of Civil Rights.

You can learn more about filing a complaint here:

[http://www.ada.gov/filing\\_complaint.htm](http://www.ada.gov/filing_complaint.htm)



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Or, call the ADA Information Line at 1-800-514-0301 (voice) to learn more about the complaint process.

### Motor Coach Transportation Complaint

Complaints related to Motor Coach Accessibility should be directed to the Federal Motor Carrier Safety Administration (FMCSA) at 1-888-DOT-SAFT (1-888-368-7238) or online at: <https://nccdb.fmcsa.dot.gov/nccdb/home.aspx>.

### Public Intercity and High Speed Rail Transportation Complaint

The Federal Railroad Administration (FRA) Office of Civil Rights is responsible for civil rights compliance and monitoring, which includes ensuring that providers of public intercity and high speed rail transportation properly abide by Title II of the ADA, the DOT's ADA regulations, and Section 504 of the Rehabilitation Act of 1973.

You can learn more about the complaint process here:

<https://www.fra.dot.gov/Page/P0578> and complaints can be emailed to [civil.rights@dot.gov](mailto:civil.rights@dot.gov).

### Resource

U.S. DOT – FTA ADA Information: <http://www.fta.dot.gov/civilrights/12325.html>

### Contact Us

For more information the ADA and Transportation contact the ADA National Network:

- Call us toll-free 1-800-949-4232 V/TTY
- Find your regional ADA center at: <http://adata.org/national-network>

Original content was developed by the Northeast ADA Center and Easter Seals Project ACTION (now NADTC), and is based on professional consensus of the ADA National Network.



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