



# National Network

Information, Guidance and Training on the  
Americans with Disabilities Act

Call us toll-free  
1-800-949-4232 V/TTY

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## Reasonable Modifications to Policy, Practice & Procedure in Public Transportation

### The law

The ADA Rehabilitation Act requires all organizations and agencies that receive federal funding to modify their policies, practices and procedures to be accessible to individuals with disabilities. This includes public transportation agencies.

### Types of public transportation services

This factsheet addresses two kinds of public transportation services:

1. Fixed-route bus service—buses have established routes and make stops at pre-determined destinations.
2. Demand-responsive service (also known as ADA complementary paratransit) — buses provide origin-to-destination service in response to requests from individuals with disabilities who need accommodation.

### Public transportation accessibility modifications

Modifications that make public transportation accessible to individuals with disabilities may include ramps, lifts, changes in stop locations, designated seating areas, complementary (non-fixed route) bus systems.

### Requests for modifications

#### Transit Provider's Responsibilities:

- (1) Provide information to the public in accessible formats about the process for requesting reasonable modification.
- (2) Clearly state the eligibility requirements, the timeline for requesting modifications, and the complaint process.
- (3) Provide an accessible means to request the reasonable modification.
- (4) Be flexible enough to make exceptions for last-minute requests.
- (5) Inform rider of decision to grant or deny request.



### **Rider's Responsibilities:**

- (1) Provide a clear description of the modification needed to use the transportation service (for example...)
- (2) Make the request as far in advance as possible, particularly when there is a long-term issue, e.g. there is no accessible bus stop, the incline to the passenger's front door is too steep to be picked up at the front, construction, etc. Advance requests can be made during the eligibility determination, reservation and/or complaint process.

### **Transit providers do not need to provide a modification if it would:**

- (1) Cause a direct threat to the health or safety of others. For example, leaving the transit vehicle unattended in a high traffic area that could likely result in a collision and endanger the safety of the other passengers.
- (2) Result in a fundamental alteration of the service. For example, if an individual requests the driver of a fixed-route service to stop at a location that is not on the schedule, this is a fundamental alteration to fixed-route service.
- (3) Not actually necessary in order for the individual with the disability to access services. For example, the modification might make transportation more convenient for the passenger, who could nevertheless use the service successfully to get where he or she is going without the modification.
- (4) Result in an undue financial or administrative burden to the transit agency. (Applies only to recipients of Federal financial assistance) An individual who requests a specific driver for a paratransit trip may be denied this request because this would cause an administrative burden.

### **Common examples of reasonable modification requests in fixed-route transportation include:**

- Positioning the bus for loading and unloading in a location where there are no obstructions, such as construction.
- Allowing a person with diabetes to eat on the bus to avoid a drop in glucose.

### **Common examples of reasonable modification requests in paratransit include:**

- Picking a rider up at a building entrance that is flat and unobstructed..
- Helping an individual who is blind get to the front of the building in extreme weather.

## **How to File a Complaint**

1. Follow the complaint process of the **local** transportation agency directly **first**. For more information on filing a complaint, contact the customer service department with the local transportation agency.
2. If the transit agency is unable to resolve the complaint, you can file a complaint with the Federal Transit Administration Office of Civil Rights. Complaints should be filed within 180 days from the date of the incident. Download the FTA complaint form ([http://www.fta.dot.gov/documents/Consolidated\\_Civil\\_Rights\\_Complaint\\_Form.pdf](http://www.fta.dot.gov/documents/Consolidated_Civil_Rights_Complaint_Form.pdf)) and mail it to:



## The ADA & Accessible Ground Transportation

Federal Transit Administration  
Office of Civil Rights  
Attention: Complaint Team  
East Building, 5th Floor – TCR  
1200 New Jersey Ave., SE  
Washington, DC 20590

Include the following information with your complaint:

- Statement of events including the date(s) and time(s)
- Any supporting documentation (for example...)

You will receive a letter from the FTA that describes the findings of the investigation and any corrective action the transit agency is required to take to correct the problem.

**For more information about accessibility modifications**, call an ADA specialist at 1-800-949-4232. All calls are confidential.

Original content developed by the Pacific ADA Center, and is based on professional consensus of ADA experts and the ADA National Network.



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