



**LINKING YOUR CITY & CAMPUS**

# **PARATRANSIT PLAN**

**SERVICE POLICIES & PROCEDURES**  
**STARKVILLE-MSU AREA RAPID TRANSIT (SMART)**

EFFECTIVE October 2020

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## **INTRODUCTION**

### **Vision**

The vision of Starkville MSU Area Rapid Transit (SMART) is to provide an integrated system of professional, safe, and efficient public transportation services that contribute to increased transportation alternatives for the City of Starkville, Mississippi and the campus of Mississippi State University.

### **Mission**

SMART is committed to provide safe, efficient and reliable mobility options to improve the quality of life for citizens and visitors to the City of Starkville, Mississippi and the campus of Mississippi State University.

### **Purpose and Need**

SMART Paratransit Service Policies and Procedures are intended to outline the provision of demand response service by SMART throughout its service area.

As a public operator of transit services, SMART is required by the Americans with Disabilities Act (ADA) to provide complementary paratransit services for those individuals who are determined to be ADA eligible and who are unable to use SMART's fixed-route bus services. SMART Paratransit Service is a curbside-to-curbside public service for people who have a physical, cognitive or mental disability. SMART Paratransit is operated in compliance with the American with Disabilities Act and is a shared-ride, public transportation service. As such, other passengers may be onboard and the vehicle may stop for other pick-ups and/or drop-offs on the way to and from a destination.

## **POLICIES**

### **I. ELIGIBILITY**

#### **SMART Paratransit ADA Paratransit Eligibility**

The Americans with Disabilities Act (ADA) definition of eligibility as codified in 49 CFR 37.123, the "ADA Paratransit Regulations," addresses three categories of individuals who are eligible for complementary paratransit service. Specific definitions of the three eligible categories described in the ADA paratransit Regulations are as follows:

1. Any individual with a disability who is unable, as a result of physical or mental impairment (including a vision impairment), and without the assistance of another individual (except the operator of a wheelchair lift or other boarding assistance device), to board, ride and disembark from any vehicle on the system which is readily accessible to and usable by individuals with disabilities. Included in this category are individuals with mental or visual impairments who cannot "navigate the system."

2. Any individual with a disability who needs the assistance of a wheelchair lift or other boarding assistance device is able, with such assistance, to board, ride, and disembark from any vehicle which is readily SMART Paratransit, who wants to travel on the route of the system during hours of operation of the system at a time, or within a reasonable time, when such a vehicle is not being used to provide designated public transportation on the route.

Eligibility under this category depends on the SMART Paratransit fleet of vehicles and routes. A person is eligible for paratransit service if the vehicle assigned to the fixed route on which they want to travel is not yet SMART Paratransit. There is at least one ADA shuttle per SMART route.

3. Any individual with a disability who has a specific impairment-related condition, which prevents such individual from traveling to a boarding location or from a disembarking location on such system.

Two important qualifiers to this category are included in the regulations. First, the “specific impairment-related condition” must prevent the person from using the fixed-route system. Conditions, which make getting to or from stops more difficult, do not confer eligibility. Second, architectural barriers not under the control of the public entity and environmental barriers do not, when considered alone, confer eligibility. If, however, travel to or from a boarding location is impossible when these factors are combined with the persons’ specific impairment-related condition, paratransit service must be provided.

4. Any individual who requires travel with respirators, portable oxygen and other life support equipment. Travel with this equipment will only be denied if it violates rules concerning the transportation of hazardous materials.

### **Conditional Eligibility**

Some people with disabilities may be able to use the local fixed route bus service under certain conditions, but not under other conditions. Therefore, eligibility for SMART Paratransit service for some people will be determined on a trip-by-trip basis.

### **Temporary Eligibility**

A person with a temporary disability will be eligible for SMART Paratransit services if the disability results in his/her functional inability to use the fixed route bus system as described in the three eligibility categories. Temporary eligibility may be granted up to the amount of time recommended by a medical professional.

## **Strictly Limiting Eligibility**

The certification process shall strictly limit ADA paratransit eligibility to individuals who meet the regulatory definition of eligibility. Only those persons who meet the regulatory definition can be given documentation indicating that they are "ADA Paratransit Eligible." If individuals who are determined to be ADA paratransit eligible can use fixed service under certain conditions, the documentation which they are given will indicate the limitations/conditions of their eligibility.

## **II. CERTIFICATION PROCESS**

The goal of this process is to ensure that only people who meet the regulatory criteria are regarded as ADA paratransit eligible and only people who meet the ADA criteria are approved to schedule SMART Paratransit (Non-ADA) trips.

### **Application**

In order to use SMART Paratransit, individuals must complete and submit an application. Applications can be obtained by calling the office at 662.325.7594 or 662.325.5204. Upon receipt of completed and signed applications, ADA regulations allow a maximum of 21 days to process applications. SMART will begin processing properly completed applications immediately upon receipt. Only completed, signed applications, which may be mailed or faxed, will be considered for review. Applicants will receive written notification of eligibility via U.S. mail. Completed applications include: Application and Physicians Form.

For applicants with a disability, a licensed physician or certified human services professional familiar with the applicant's condition must complete the attached physician form in order to prevent delay with the application review. Examples of licensed or certified human service professionals include: Medical Doctor, Psychiatrist, Psychologist, Social Worker, Rehabilitation Professional, Physical/Occupational Therapist, Physician's assistant, Nurse Practitioner, Registered Nurse.

Once the application is fully completed, the signed original should be sent to:

Parking & Transit Services  
ATTN: SMART Paratransit - Sherri Thompson  
95 Buckner Lane  
Mississippi State, MS 39762  
Or Faxed to: 662-325-3605

### **Eligibility Determination**

SMART personnel will determine the eligibility status of a passenger based on the information contained on the application and physicians form. A person may be determined eligible, temporarily eligible, or conditionally eligible for certain trips. The applicant will be notified in writing of the eligibility upon determination. An in-person interview may be necessary for eligibility determination. Transportation for any required in-person interview will be provided by SMART.

### **Notice of Initial Determination**

An applicant that is determined to be eligible for ADA service will be mailed (to the address printed on the application) documentation of eligibility specifically stating that the person is “ADA Paratransit Eligible.” This eligibility qualifies the customer to schedule SMART Paratransit trips as space is available. The document will include the name of the eligible individual, the phone number of SMART Paratransit Operations office, an expiration date for eligibility, and any other conditions or limitations on the individual’s eligibility including the use of a personal care attendant. If the determination is that the person is not eligible, the written notification will state the specific reason(s) for the finding. All applicants have the right to appeal the initial determination of eligibility.

### **Eligibility Appeal Process**

The SMART Paratransit eligibility appeal process is as follows:

- Individuals are permitted to request an appeal to the SMART Paratransit Appeal Panel within (60) days of the initial eligibility decision, beginning on the date the individual receives notification of the initial decision.
- Appellants have an opportunity to be heard in person and to present additional information and arguments regarding their disability and ability to use the fixed route service.
- The SMART Paratransit Appeal Panel hears all appeals and the Panels’ ruling is final.
- Applicants are notified of appeal decisions in writing. The notification will state the reason(s) for the decision if eligibility is still denied.
- If a decision on the appeal is not made in 30 days of the completion of the process, individuals will be considered “presumptively eligible” and will be provided paratransit service until and unless a decision to deny the appeal is issued.

Applicants should mail appeals to the following address:

Parking & Transit Services  
ATTN: SMART Paratransit - Sherri Thompson  
95 Buckner Lane  
Mississippi State, MS 39762

## **Recertification Process**

Passengers will be subject to individual recertification every three years from the date they are certified. However, SMART reserves the right to re-certify eligibility at any time. Re-certification is done to ensure that circumstances have not changed or invalidated an individual's eligibility. Recertification also ensures SMART files are accurate and contain up-to-date information.

## **III. SERVICE PARAMETERS**

SMART Paratransit, which is prescribed in the Code of Federal Regulations chapter 49 part 37, is provided in an area within one mile of either side of each local fixed route.

SMART Paratransit certified riders may schedule trips to begin and end anywhere in the following areas:

- City of Starkville,
- Mississippi State University
- One mile beyond the fixed route service zone

## **Service Hours**

SMART Paratransit service hours are intended to mirror that of the local fixed route service. SMART Paratransit service hours (excluding University holidays):

- Monday – Saturday 7:00 AM– 8:00 PM

SMART observes the following holidays:

- M. L. King Jr. Day
- Good Friday/Spring Break
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving (2 days)
- Christmas/New Year Winter Holidays (9 days)

To schedule a SMART Paratransit trip over the Thanksgiving or Christmas holidays. Certified riders must contact the Paratransit Office by 5 PM on the last day the university is open before the holiday.

#### **IV. SCHEDULING A TRIP**

A SMART Paratransit trip may be scheduled by calling 662.325.7564 or 662.325.5204. Between one (1) and fourteen (14) days in advance of the requested trip date. Reservations may be made between 8:00 AM and 5:00 PM Monday through Friday. On weekends and holidays an answering machine will take request. Review previous section for holiday scheduling details. Request for same day service may be provided only if capacity is available. Customers will receive a confirmation telephone call one day prior to their scheduled trip. It is recommended that phone numbers on record with SMART be equipped with messaging devices. If SMART is unable to contact a passenger due to a wrong number being on file or due to no answer on a phone without a messaging device, the passenger remains obligated to the trip scheduled. For ADA Paratransit trips, SMART may offer travel times one hour before or one hour after the requested travel time as established under the ADA paratransit service criteria. Every effort will be made to schedule these trips within a reasonable time window. Customers will receive an approximate time for pick up. The driver may arrive up to 15 minutes before or after this time (30 minute Ready-time Window) and be considered on-time for your trip. Customers should be ready to go and be waiting in a place where they can hear or see the vehicle arrive.

#### **Subscription Service**

According to ADA Guidelines, no more than 50% of scheduled service can be designated as Subscription Service. SMART reserves the right to restrict and/or prioritize Subscription Service to maintain a maximum level of 50% Subscription Service is limited to customers traveling to the same place at the same time at least three times per week for a minimum period of ninety (90) days. SMART will terminate any subscription service that is cancelled 50% or more of the time during any thirty (30) day period, or if there is a consistent pattern of cancellations or no-shows of any part of a subscription.

#### **V. SERVICE RULES**

To avoid delaying other passengers, drivers can only wait 5 minutes upon arrival before proceeding on their route. The “No-Show” will be documented. A customer will be charged with a “No-Show” if the vehicle arrived to pick them up within 15 minutes on either side of the pick-up time and the customer was not ready to go within 5 minutes.



Passengers shall remain seated and should fasten seat belts where available. For safety, drivers are not allowed to put the vehicle in motion until all passengers are seated. For the comfort of all passengers on board, smoking, eating and drinking are not allowed. Passengers who wish to listen to music should utilize ear buds or other noise reduction options. No loud music is permitted.

Vehicle operators are not allowed to make changes in scheduled times or destinations without authorization from the SMART Operations office.

SMART operators provide minimal assistance to passengers, SMART drivers are not allowed to:

- Go into the home or facilities to assist passengers
- Push wheel chairs across areas that are not paved or covered with level concrete
- Take a wheel chair off a raised porch which is not connect to a ramp
- Assistance getting in and out of wheelchair
- Administering medication or oxygen
- Assisting passengers in wheelchairs up or down stairs
- Assistance with excessive items (i.e. more than two grocery bags)
- Assisting passengers up and/or down ramps at residence or destination
- Wait more than 5 minutes for a passenger to board the vehicles

## **VI. FARES**

Currently, there is no charge for SMART Paratransit. Drivers shall not accept or receive any monies for the services provided.

## **VII. ACCOMPANYING PASSENGERS**

### **Personal Care Attendants (PCA)**

A personal care attendant who is required to ride with a passenger may ride free. The need for PCA must be indicated on the certification application in order for the PCA to ride. PCAs must be scheduled at the same time the client schedules their trip in order to reserve the necessary space on the vehicle. The origin and destination of the PCA must be the same as the customer.

## **Guest**

A customer may invite one guest to travel with him or her, and other guest will be permitted on a space available basis. Guests are charged the same applicable rate as the SMART Paratransit customer. Customers must reserve a space for their guest, whether child or adult at the time of scheduling. Guests must be picked up and dropped off at same address as the SMART Paratransit customer. Children under the age of 13 must be accompanied by an adult.

## **Service Animals**

Guide dogs and other service animals are permitted on all SMART vehicles and are allowed to accompany passengers if this need is indicated in their file. When scheduling a trip, customers should inform SMART Paratransit scheduling if a service animal will be accompanying the customer on the trip.

## **Packages**

Carry-on packages are limited to two (2) grocery bags or similar-sized packages onboard SMART Paratransit vehicles. Operators can help carry two packages on and off the vehicle from the same sidewalk or waiting area where the customer boards and gets off the vehicle. The operator cannot carry any packages to the door. Packages should weigh no more than 20 pounds each.

## **VIII. VISITORS**

Out of town visitors who are ADA eligible may use SMART Paratransit by presenting documentation showing ADA eligibility. Visitors with disabilities who do not present ADA Paratransit Eligibility documentation will be required to present documentation on their place of residence and of his/her disability. SMART Paratransit shall accept certification by such visitors that they are unable to use fixed route transit. SMART will provide SMART Paratransit service to visitors for no more than twenty-one (21) consecutive days within a 365-day period. Visitors must contact the SMART Operations Office Monday through Friday, 8 AM - 5 PM, at 662.325.7534 or 662.325.5204 no later than one week before service is required. Once this is done, advance reservations can be made up to five (5) days in advance.

## **IX. NO-SHOWS AND CANCELLATIONS**

Trips no longer required by a customer, whether single trips or subscription service, must be canceled by 5:00 p.m. the day before the trip. Trips canceled by 5:00 p.m. before the scheduled trip will be considered Advanced Cancellation. To cancel a trip, customers must call 662.325.7594 or 662.325.5204.

Missed scheduled trips adversely affect service provision as well as other users of SMART Paratransit. To that end, SMART has implemented a set of sanctions to be applied in the case of individuals who systematically miss scheduled trips.

### **Same Day Cancellations**

A Same Day cancellation occurs when a customer cancels a scheduled trip between 5 p.m. the day prior to the trip and up to two (2) hours before the scheduled pick-up time.

Two (2) Same Day cancellations within a thirty-day period will be charged as one (1) no-show.

### **No-Shows**

A no-show occurs when a customer fails to cancel their trip at least two (2) hours before the scheduled pick-up time or fails to board the SMART Paratransit vehicle within five (5) minutes after it arrives within the ready-time window.

## **X. SUSPENSION OF SERVICE**

Passengers must not engage in activities or conduct resulting in misuse of the system, or unnecessarily reserve and/or use space that could be otherwise used by people who need service. Examples of misuse include, but are not limited to:

- Failing to show up for scheduled rides(No-Shows)
- Excessive Same Day Cancellations
- Engaging in disruptive behavior
- Falsifying medical justification for eligibility

Suspensions shall not be proposed or implemented for circumstances which are beyond the passengers` control. Examples of situations not within the passengers control are:

- A sudden personal emergency
- Sudden or worsening illness
- A late vehicle arrival

- Medical conditions which may cause involuntary behavior (e.g. Tourette Syndrome)

### **Service Suspension for No-Shows**

No-Shows have the potential to adversely affect other passengers. Verbal and written notifications regarding no-shows will be given for the first and second offenses. On the third offense, service will be suspended for five (5) days.

Within each thirty (30) day period, the following penalties shall be assessed for no-shows:

<b>Occurrence</b>	<b>Penalty</b>
First	Verbal notification to customer
Second	Verbal and written notification to customer
Third	Written notification to customer & five (5) day suspension of service

Customer accumulating six (6) no-shows within a sixty (60) day period will receive thirty (30) day suspension of service.

After the third and sixth consequences, SMART will contact the customer via phone and send a letter identifying the proposed suspension period and reasons for the penalty. Customers who appeal a proposed suspension may continue to ride pending a decision on the appeal. If the appeal is denied, the suspension shall be imposed effective the date the appeal is denied, pending final notification to the customer.

### **Service Suspension for Violent, Seriously Disruptive and/or Illegal Conduct**

Service shall immediately be suspended for thirty (30) days or until an appeal hearing is held, to passengers who engage in violent, seriously disruptive or illegal conduct. This includes, but is not limited to:

- Threats of physical harm to other passengers, drivers or other service personnel
- Physical assault or battery on driver or other passengers
- Verbal abuse, intimidation or altercation with driver or other passengers
- Unlawful harassment of driver or other passengers, including but not limited to unwelcome verbal, nonverbal, or physical behavior having sexual or racial connotations
- Unauthorized use of willful damage to vehicle equipment
- Smoking while aboard the vehicle

- Repeatedly violating riding rules, including smoking on the vehicle, standing while the vehicle is in motion, eating or drinking on the vehicle without valid medical reasons, defacing equipment or refusing to comply with other service requirements specified in the policies included in this document
- Failing to maintain reasonably acceptable personal hygiene standards which could interfere with the safe operation of the vehicle by the driver or with the use of service by other passengers
- Any other criminal conduct defined in and/or prohibited by the Mississippi Penal Code

Customers suspended from service for exhibiting violent, seriously disruptive and/or illegal behavior shall be contacted by SMART Administration to investigate the alleged situation or incident. If SMART Administration determines the customers` behavior to be disruptive or violent, the customer shall be sent a written notice by SMART explaining the reasons for the suspension.

Note: Customers who engage in physical abuse or cause physical injury to another customer or operator may be subject to immediate and permanent suspension, and possible criminal prosecution.

The person shall have five (5) calendar days from the date of notice of the proposed suspension to submit to SMART Operations a request for an appeal. He or She (or their representative) shall include a written explanation as to why the suspension should not be imposed. Customers appealing a suspension based on seriously disruptive or violent behavior may not continue to ride until the SMART Paratransit Appeal Committee issues a written decision on the case. Disruptive behavior which is determined to be due to a disability of the customer may not result in a suspension. However, SMART may require the customer to travel with a Personal Care Attendant (PCA) if it is established that the customers` behavior poses a significant potential threat of harm to other passengers or to the driver. If such disruptive behavior continues and the required PCA is unable to prevent further instances of such behavior so that the customer continues to present a potential safety problem, service for the customer may be discontinued.

### **Service Suspension Appeal Process**

A customer who disputes the basis for the suspension of service may request an appeal hearing by calling or writing SMART at:

Parking & Transit Services  
ATTN: SMART Paratransit - Sherri Thompson  
95 Buckner Lane  
Mississippi State, MS 39762

Before sanctions can be imposed, the individual has the option to appeal the sanction(s). The SMART Paratransit Appeals Board will have the final say on all appeals.

1. Once an individual request an appeal, the SMART Paratransit Appeals Board will hear all current violations. For example, suppose an individual appeals sanction for May 2<sup>nd</sup> and the appeal cannot be heard until May 17<sup>th</sup> and this individual incurs three additional no-shows during the interim, all violations will be heard during the same meeting.
2. Before service may be suspended, the individual will have the opportunity to be heard and to present information justifying the no-shows.
3. SMART Paratransit service will not be suspended while an appeal is being considered.
4. SMART will notify the individual, in writing, of the SMART Paratransit Appeals Board ruling on all appeals. This notification will outline the ruling and supporting reasons. A decision will be provided to the appellant within thirty (30) days from the appeal request date.
5. Once the individual had been informed of the ruling, sanctions will either be dismissed or imposed on the next day of service.
6. SMART requires appeals regarding suspension of service due to excessive no-shows be made within sixty (60) days of occurrence. Appeals regarding suspension of service due to violent, seriously disruptive and/or illegal conduct must be made within ten (10) days of occurrence.
7. The SMART Appeals Board decisions are final.

## **XI. DEFINITIONS OF TERMS USED**

ADA Paratransit Service- ADA paratransit service is provided within Oktibbeha County as a complement to fixed route service to those individuals who are unable to ride fixed route services due to disability.

Advance Cancellation- Trips cancelled by 5:00 p.m. the next day before a scheduled trip.

Demand-Response service- Non-fixed route service utilizing vans or buses with passengers boarding and alighting at pre-arranged times at any location within the systems service area.

Local Fixed-Route Service- Bus service provided on a fixed schedule along a pre-established route with frequent stops along the route that operates in both peak and off-peak hours. All SMART fixed routes are serviced by at least one vehicle having wheelchair accessibility and having space designated for people with

disabilities and the elderly. SMART encourages all persons with disabilities to use its local fixed-route service.

**Mobility Device-** A mechanism such as a wheelchair, a walker or scooter, designed to aid individuals with mobility impairments. They can be either manually operated or powered.

**No-Show-** A no-show occurs when a customer fails to cancel their trip at least two (2) hours before the scheduled pick-up time or board SMART Paratransit vehicle within five (5) minutes after it arrives within the ready-time window. In accordance with ADA regulations, customers who show a pattern and practice of missing scheduled trips may be suspended for a reasonable period of time.

**Paratransit-** A comparable transportation service that is required by the ADA for individuals with disabilities who are unable to use fixed-route transportation systems.

**Personal Care Attendant (PCA)-** An individual who accompanies a SMART Paratransit passenger to assist the individual in utilizing SMART Paratransit service.

**Ready-Time Window-** A thirty (30) minute window, fifteen (15) minutes before and fifteen (15) minutes after the scheduled pick-up time, in which a customer should be ready for pick-up.

**Same-Day Cancellations-** A same-day cancellation occurs when the customer cancels a scheduled trip between 5:00 p.m. the day prior to the trip and up to two hours before the scheduled pick-up time.

**Service Animals-** Animals that are individually trained to perform tasks for people with disabilities- such as guiding people who are blind or who have low vision, alerting people who are deaf, pulling wheelchairs, alerting a person who is having a seizure, or performing special tasks. Service animals are working animals, not pets.

**Subscription Service-** An ongoing standing order for a passenger traveling to the same place at the same time at least three (3) times a week for a minimum period of ninety (90) days.

**Wheelchair-** Mobility aid belonging to any class of three or four- wheeled devices, usable indoors, designed for and used by individuals with mobility impairments, whether operated manually or powered.

## **APPENDIX**

Certification of Eligibility

Physician Verification of Disability Form