



# INDIANA DISPATCH

*A Newsletter for Indiana's  
Transportation Professionals*



Issue 3, 2010

## LAST HARD COPY ISSUE

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Over the last couple of years, technology has moved us in a direction of electronic communications from e-mail to websites and, yes, even electronic newsletters. The efficiency in utilizing the Internet to communicate valuable information, resources, and even networking is staggering when looking at not only the financial impact, but also the sharing of information in "real time." The Indiana RTAP program has been online for the last fourteen years, with significant traffic flowing through the site each day confirming the website's value over and over.

This newsletter is published by the:  
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In looking at ways to better manage and use financial resources and staff time, the RTAP staff has evaluated the benefits of taking the **Indiana Dispatch** online and eliminating the cost and time associated with printing, labeling, sealing, and mailing the Newsletter each quarter. In conversations with the INDOT staff and several different transit managers, there is a general consensus that publishing the Newsletter online would be more beneficial and a better use of resources, while still providing valuable information specific to our industry. Following the publishing of each issue, the Newsletter is also uploaded to the Indiana RTAP website for easy downloadable access and reference by site visitors, in and out of state. During training programs, conferences, and even phone conversations, questions are often asked that have been addressed in a recent issue of the newsletter; RTAP staff often refer peers to the website and the appropriate issue for the information they are requesting.



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Administration, through the Indiana  
Department of Transportation.*

**EDITOR'S NOTE:** To ensure that this newsletter is relevant to your needs, we would appreciate your input. Please send us article suggestions, agency news, coordination activities, "best practices," etc.

Do you know of someone from another agency who would like a copy of this newsletter? Do you want to be removed from our mailing list? Give us a call...

In order for a successful transition from paper to electronic format, It will be important for the RTAP staff to receive a current e-mail address from all agencies wishing to receive an e-mail notice of the Newsletters as they are posted to the website each quarter. Please send a current e-mail address with the name of the agency and agency contact wishing

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**INDIANA DEPARTMENT OF TRANSPORTATION**  
*Driving Indiana's Economic Growth*

# Dear RTAP..



Dear RTAP,

What is up with the Modified Vans these days? Can a customer travel with a PCA on a trip, even if the PCA is clearly not needed during transport?

*Signed,  
Passenger Assisted*

Dear Assisted,

The ADA defines a personal care attendant (PCA) as someone designated or employed specifically to help the eligible individual meet his or her needs. In light of this definition, almost every paratransit eligible rider could also be eligible for a PCA. The customer determines the need for a PCA, just as they do their own mobility aid.

Much of the work of a PCA is done outside of the transit trip, such as assisting with grocery shopping or assisting individuals with a medical condition upon arrival at work. Often, PCAs provide private, highly personal assistance. Many of the services provided by PCAs would not be possible or appropriate in the transit context.

PCAs do not take up extra scheduling capacity, since they have the same origin and destination as the paratransit eligible rider. Generally, transit authorities are encouraged to defer to the rider,

with the limited exception that one of the two people traveling must be a paying customer. A husband and a wife who are both paratransit eligible could not be PCAs for one another on the same trip, for example. One of them would need to pay the paratransit fare.



Transit authorities are encouraged to use the paratransit eligibility process to document a customer's need to travel with a PCA. Other than that, it is recommended that transit systems be cautious about being overly probing about a customer's need for a PCA.

Transit authorities are encouraged, but not required, to allow PCAs to ride free on fixed-route trips, because the thrust of the ADA is inclusion on fixed-route transportation.

Submitted by:  
Megan Lawson

Source: Easter Seals Project Action: FAQ

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to receive the notice to [mlawson@indianartap.com](mailto:mlawson@indianartap.com) at your earliest convenience to ensure that your receipt of the RTAP Newsletter is uninterrupted. Naturally, change is uncomfortable for some, so a limited number of hard copies will still be available for request by contacting the RTAP offices at (800)709-9981, or by sending an e-mail to [mlawson@indianartap.com](mailto:mlawson@indianartap.com).

If you have any questions regarding the Indiana Dispatch, the proposed changes or any other issues, please feel free to call Vicky Warner, Indiana RTAP Manager, at (800)709-9981, or via e-mail at [vwarner@indianartap.com](mailto:vwarner@indianartap.com).

# RTAP TRAINING 2011 TRAINING CALENDAR

The Indiana RTAP program continues to provide high quality class room training programs with valuable practicum's designed to ensure participants understanding of the procedures and techniques provided. With the continued growth of rural public transit in Indiana, and the continued growth in training needs the RTAP staff has been working hard to accommodate. Unfortunately, the number of available Saturdays is limited for conducting training, which is when the majority of transit providers are able to host training programs.

The introduction of the regional training sites has allowed the RTAP staff to provide quality training to a larger audience and in a more efficient manner. On the down side there have been several cancellations of regional trainings due to a lack of participants needed to conduct the session, with many transit providers simply wanting to schedule their own independent sessions. For calendar year 2010 the RTAP program requested in December all independent training requests be submitted by January for consideration. In addition, systems were advised that any independent training programs requested after that date would be considered on a first come, first service basis pending availability of the dates and staff.

As 2010 has progressed the RTAP offices has received multiple requests for independent training programs and most were unable to be filled due to availability. It is understood that today's budgets demand systems to be watching the bottom line a bit closer, but a price tag cannot be placed on safety. The transit operators are on the front lines affecting the safety of our riding public, and our communities and should be our number one investment. Their training and the docu-

mentation of necessary training is critical in limiting the liability, ensuring safety and raising employee confidence and awareness. In order to obtain needed training systems should be prepared to send their drivers to a neighboring transit provider hosting training or one of the regional training sites as identified on the regional training calendar.

That being said it is time to think ahead to 2011 and the training needs of your drivers. The RTAP office is now taking requests for training programs to be scheduled for calendar year 2011. Classes may be scheduled from the end of March through the second week in November. Classes will be scheduled on a first come first serve basis pending availability. Anyone requesting training after the 2011 training calendar has been established will be scheduled per availability. Some training programs and dates will be scheduled based on last year's training calendar and local participation as regional training sites. Training requests for 2011 must be submitted before the Christmas Holiday to be considered so hurry and submit your requests now. The 2011 training calendar will be posted on the RTAP web page in February.



## RTAP News & Notes

The Indiana RTAP Program plans to again offer its Manager/Supervisor Passenger Assistance Techniques Training in 2011. The feedback from this year's two sessions was very positive. Unfortunately, there were several individuals that were unable to attend these sessions, either because of scheduling conflicts or the classes were full. With the high demand for these sessions, two more sessions are being planned for the summer of 2011 and will again be two-day sessions, one North and the other South of Indianapolis. Please check the Indiana RTAP website regularly for updated training information and announcements on these important sessions.

Drug and Alcohol Program Manager Compliance Training will be offered in early 2011 to aid the many new transit managers around the state, as well as to refresh our veteran managers with the program requirements and regulatory changes that have occurred. As many of you know, the drug and alcohol program is very complex in nature, and the regulations have been revised many times over the last several

years. Some of these changes have been made due to changes in the Department of Health and Human Services (DHHS) testing protocols for the laboratories utilized to conduct the testing for the drug and alcohol program. Other changes have been made in an effort to continue the battle in detecting and deterring substance abuse and alcohol abuse in the transit industry. It has been approximately four years since this course was last offered in Indiana, so RTAP and INDOT staff believe that with the regulatory changes and new managers, it is time to offer this session again.

This training will be scheduled early in 2011 and the dates, times, and location will be posted on the RTAP website, [www.indianartap.com](http://www.indianartap.com) with an e-mail notification sent to all Section 5311 recipients to ensure timely notice of the course.

Questions regarding the class should be directed to the RTAP staff at (800) 709-9981.

## INDOT News & Notes

Many of you may recall meeting the new Director of the Multimodal Planning and Policy Division of INDOT, Jeffrey Spalding, at the last Section 5311 Conference in September. Mr. Spalding is leaving INDOT to accept a position with the City of Indianapolis. We have no word yet as to who will be filling this position.

With winter approaching, now is a good time to check your vehicles' safety equipment. Pocket warmers for drivers to use on a daily basis, and extras for use in a breakdown, make a great addition to your kit this time of year. With warmth and daylight

being in shorter supply, blankets and LED flashlights would be beneficial as well. Many of your customers have little contact with other persons. Not everyone works with a Council on Aging, a Senior Center, or other helpful agency. Reminders of heating safety in the home and literature on heating assistance programs would be a welcome bonus to offer your riders.

Submitted by:  
Jason Casteel (INDOT)



# ORIGIN-TO-DESTINATION SERVICE

Department of Transportation  
Disability Law Guidance

Over the last several months the RTAP office has received several comments and questions regarding the ADA requirements specific to the definition of origin-to-destination service for ADA-eligible individuals. While the following information is specific to Complementary Paratransit service that is required for fixed-route transit providers, the guidance can also be applied to demand response transit service.

The U.S. Department of Transportation's (USDOT's) ADA regulation provides that complementary paratransit service for ADA paratransit eligible persons shall be "origin-to-destination" service. What are the obligations of transit providers to ensure that eligible passengers receive "origin-to-destination" service?

The Department's ADA regulation, 49 CFR 37.129(a), provides that, with the exception of certain situations in which on-call bus service or feeder paratransit service is appropriate, "complementary paratransit service for ADA paratransit eligible persons shall be origin-to-destination service." This term was deliberately chosen to avoid using either the term "curb-to-curb" service or the term "door-to-door" service and to emphasize the obligation of transit providers to ensure that eligible passengers are actually able to use paratransit service to get from their point of origin to their point of destination.



## **The preamble discussion of this provision made the following points:**

Several comments asked for clarification of whether [origin-to-destination] service was meant to be door-to-door or curb-to-curb, and some recommended one or the other, or a combination of the two. The Department declines to characterize the service as either. The main point, we believe, is that the service must go from the user's point of origin to his or her destination point. It is reasonable to think that service for some individuals or locations might be better if it is door-to-door, while curb-to-curb might be better in other instances. This is exactly the sort of detailed operational decision best left to the development of paratransit at the local level.

In the local paratransit planning process, it would be consistent with this provision for a transit provider to establish either door-to-door or curb-to-curb service as the basic mode of paratransit service. Where the local planning process establishes curb-to-curb service as the basic paratransit service mode, however, provisions should still be made to ensure that the service available to each passenger actually gets the passenger from his or her point of origin to his or her destination point. To meet this origin to destination requirement, service may need to be provided to some individuals, or at some locations, in a way that goes beyond curb-to-curb service.

For instance, the nature of a particular individual's disability or adverse weather conditions may prevent him or her from negotiating the distance from the door of his or her home to the curb. A physical barrier (e.g., sidewalk construction) may prevent a passenger from traveling between the curb and the door of his or her destination point. In these and similar situations, to ensure that service is actually provided "from the user's point of origin to his or her destination point," the service provider

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## LETTER FROM THE PRESIDENT

This will be my last INCOST Corner for 2010; the next one will be from incoming President, Becky Allen, Access Johnson County Transportation Director. I am so pleased that Becky will succeed me. She is far more in tune with what's going on legislatively and with the Family and Social Services Administration (FSSA) than I, and will be able to keep INCOST members up to date with what they need to know on both the State and National levels. Becky has also been responsible for numerous transportation awards won at Access Johnson County. She is proactive in obtaining grant funding, wide-spread community involvement, and having her voice heard as an advocate for transportation on local, state, and national levels. Over the years (18 total) I have depended on Becky's counsel over and over. In fact, I can recall a few times where I could have kept myself out of hot water if only I would have called for her advice before taking action. I respect and look up to her and hope if you don't know her, you will make it a priority to get to know her in 2011.

Looking toward 2011, INCOST will be working very hard on behalf of its members. The website will become a reality, the Rodeo will be bigger than ever, and our fall Workshop should be cutting edge.

Indiana will be hosting the 2011 CTAA Conference, and the INCOST Board will work with them as Ambassadors, making sure the conference is the best CTAA has ever seen. INCOST will also be working to assist its members to attend the conference, since having a national convention of this caliber in Indiana is a rarity. We hope to send more participants to the National Rodeo competition and lend financial assistance (if possible) to our members. So, don't forget to send in those membership dues for 2011!

Having said all of that, it has been my pleasure to have served you. I'm not leaving town, so don't be a stranger!

Sincerely,  
Deb Thornhill

2010 INCOST President

## CTAA NATIONAL ROADEO AND CONFERENCE 25TH ANNIVERSARY

That is right folks the Community Transportation Association of America (CTAA) will be holding its 25th annual National Rodeo and Conference/Tradeshow in Indianapolis, IN. The first CTAA National Rodeo and Conference/Tradeshow was held in Indianapolis 25 years ago so it is not only fitting, but an honor to host the 25th anniversary of this tremendous event dedicated to public and specialized transportation. Plan your budgets now to allow your drivers to participate in the State and National Rodeo, and send staff to attend the conference. Please visit the RTAP website for regular updates and scholarship opportunities at [indianartap.com](http://indianartap.com).

may need to offer assistance beyond the curb, even though the basic service mode for the transit provider remains curb-to-curb.

Because arranging for assistance beyond the curb may require additional time on the transit provider's part, we believe that it would be reasonable for the transit provider to ask for advance notice from the passenger of a need for this assistance. This would give the transit provider the opportunity to not only evaluate how to meet the need, but also any potential obstacles to providing it. In the case of a passenger who sought this assistance on a regular basis, this notice could be provided as part of the application process for paratransit eligibility or at the time that a change in circumstances made regular provision of assistance necessary. In the case of a passenger who sought this assistance on an occasional basis, asking for advance notice at the time of reservation for the trip would be reasonable and consistent with the next-day service requirement of the rule. If a passenger did not provide this notice, the transit provider would still need to make its best efforts to provide the needed assistance.

It must be emphasized that the regulation does not require a general change in a transit provider's basic mode of service from curb-to-curb service to door-to-door service, nor does it require a providers to take actions to accommodate an individual passenger's needs that would fundamentally alter the nature of the service or create undue burdens. In this respect, the Department interprets the scope of a transit provider's origin to destination service obligation analogously to the general obligations of public entities under the ADA to provide program accessibility.

For example, the Department does not view a transit provider's obligations as extending to the provision of personal services. Drivers would not have to provide services that exceed "door-to-door" service (e.g., go beyond the doorway into a building to assist a passenger). Nor would drivers, for lengthy periods of time, have to leave their vehicles unattended or lose the ability to keep their vehicles under visual observation, or take actions that would be clearly unsafe (e.g., back a vehicle down a narrow alley in specific circumstances that would present a direct threat to safety). These activities would come under the heading of "fundamental alteration" or "undue burden."

Under the ADA rule, it is not appropriate for a paratransit provider to establish an inflexible policy that refuses to provide service to eligible passengers beyond the curb in all circumstances. On an individual, case-by-case basis, paratransit providers are obliged to provide an enhancement to service when it is needed and appropriate to meet the origin-to-destination service requirement. Making individual, case-by-judgments may require additional effort, but this effort is necessary to ensure that the origin-to-destination requirement is met.

This guidance has been approved through the Department of Transportation's Disability Law Coordinating Council as representing the official views of the Department on this matter.



September 1, 2005

Source: Federal Transit Administration

Who else in your agency could benefit from the Indiana Dispatch?

Route to: \_\_\_\_\_

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For additional resources please visit: [rlsandassoc.com](http://rlsandassoc.com)

# CALENDAR

## NOVEMBER:

11/20/10 PAT @ IndyGo

11/25/10 Happy Thanksgiving



## DECEMBER:

12/04/10 Safety & Security @ Franklin

12/23/10 Training Requests for 2011  
Deadline

12/25/10 Merry Christmas



## JANUARY:

01/01/11 Happy New Year

