

Motorcoaches and the ADA

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Americans with Disabilities Act

The Americans with Disabilities Act is a civil rights law that guarantees people with disabilities an equal opportunity to take part in our society. Transportation services are key to that participation. The ADA guarantees equal access to both public and private transportation services.

Overview

- What is ADA compliance for a motorcoach or OTRB
 - Large Operators: Fixed Route
 - Small Operators: Fixed Route
 - Demand Responsive/ Charter Tour
 - Mixed Service: 25% or less of fleet involved in Fixed route
- How is the new regulatory language effecting service on motorcoaches?
 - Mobility Devices
 - Service Animals

Definition of Motorcoach or OTRB

- Over-the-road bus means a bus characterized by an elevated passenger deck located over a baggage compartment.

Read more Federal Motor Carrier definitions:

- <http://www.fmcsa.dot.gov/rules-regulations/bus/company/ada-guidelines.htm>

Large Fixed Route Operator

Under DOT's regulatory definition, a large operator or large OTRB company has gross annual transportation revenues equal to or exceeding \$8.6 million.

- Generally between 40- 1000 motorcoaches
- All new coaches must be accessible
- Accessibility 2006 50% of fleet, 48 hour notice; 2012 100% of fleet, no notice necessary

Small Fixed Route Operator

- Under DOT's regulatory definition, a small operator or small OTRB company has gross annual transportation revenues less than \$8.6 million.
 - Generally between 1-40 motorcoaches
 - No Fleet requirement
 - Must provide service with 48 hour notice
 - If mixed service with 25% or less in FR service you can provide equivalent service

Regulatory Changes

- Effective March 15, 2011
 - Service Animals are dogs and miniature horses
 - May ask what tasks the animal is trained for
 - May ask if it is a service animal
 - Expanded definition of wheelchair includes "Other Power Driven Mobility Devices"

Service Animals

- Service Animals are dogs and miniature horses
 - May ask what tasks the animal is trained for
 - Emotional support or companionship are not tasks that are covered
 - May ask if it is a service animal
 - May not ask the customer what their disability is or what task the animal provides to them
 - May not ask if the animal is certified

Wheelchairs and more

- Expanded definition of wheelchair includes "Other Power Driven Mobility Devices"
 - A range of devices not designed for individuals with mobility impairments such as the Segway PT
 - These devices "must be permitted" unless the operator can show:
 - It would fundamentally alter the programs, services, or activities
 - Create a direct threat or a safety hazard
 - Any refusal needs to be documented
 - Safe transport and stowage needs to be integrated into driver training.