

LIFT Paratransit Service Refusal and Suspension Policy

Scope

This policy and the accompanying Refusal and Suspension Standard Operating Procedures provide clear and objective standards for determining whether TriMet may refuse or suspend service to a paratransit customer.

Application

TriMet's LIFT program provides paratransit service to eligible individuals as required by Title II of the Americans with Disabilities Act ("ADA"). Individuals who are eligible for ADA paratransit service are unable to independently use fixed-route service because of mental and/or physical disabilities. LIFT is committed to providing safe and reliable service to all customers.

The ADA permits service refusal or suspension of paratransit service to individuals who engage in violent, seriously disruptive or illegal conduct. Some disabilities may be associated with involuntary behaviors, either verbal or physical, which present potential or actual risk to the individual, other paratransit customers, LIFT personnel, or the public. Under the ADA, TriMet is required to consider whether reasonable modification to its rules, policies or practices could enable such individuals to safely use paratransit service, and make such modifications when applicable and possible.

LIFT will evaluate the facts of each situation and attempt to balance the obligation to provide paratransit service with the equal obligation to provide safe and secure service to all paratransit customers. The ADA's standard of violent, seriously disruptive or illegal conduct will guide all service refusal or suspension determinations. The provisions of TriMet Code Chapter 28 will not necessarily apply to those determinations because it lists conduct or behavior that does not rise to the ADA standard.

Responsibility

TriMet's Accessible Transportation Program ("ATP") personnel, in consultation with Operations Division management and Legal Department representatives, administer this policy.