Paratransit Plan Exhibit 5 of 14

EXHIBIT 5: NO-SHOWS (MISSED RIDES)

Exhibit 5 contains the procedure for Paratransit No-Shows and Service Suspensions, the procedure for Paratransit Service Suspensions for Prohibited Conduct, and the Notice of Intent to Appeal Suspension.

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# Paratransit No-Shows and Service Suspensions procedure proposed for 2017-18 Paratransit Plan.

## 1.0. Overview

RTS Access expects customers to use their trips. If a customer fails to use booked trips repeatedly, the customer will get a service suspension. A “Service Suspension” is a temporary period when the customer cannot use RTS Access service. After booking a trip, the customer gets a pickup period. A “Pickup Period” is the 20-minute window of time RTS Access assigns to a customer and during which the bus is scheduled to arrive to pick up the customer for the trip. After the Pickup Period begins, the Bus Operator will wait 5 minutes for the customer to show up for the scheduled ride.

The “5-Minute Waiting Period” is the amount of time an RTS Access Bus Operator must wait for the customer to appear for the scheduled pickup. The waiting period cannot start before the start of the Pickup Period. If the Bus Operator arrives before the Pickup Period begins, the Bus Operator will not start the 5-Minute Waiting Period until the Pickup Period begins.

A “Single No-Show” occurs when the customer fails to show up during the 5-Minute Waiting Period for pickup by RTS Access. A customer must cancel an unwanted trip 2 hours before pickup. A “Late Cancellation” occurs when the customer cancels a trip less than 2 hours before the Pickup Period begins. For the purposes of this service suspension process, a Late Cancellation is also considered a Single No-Show. If the customer commits a Single No-Show 3 times in one month, we will check whether the customer breaks our rule for using booked trips. We will look at the number of trips for the month and the number of Single No-Shows. A “Repeated No-Show Violation” occurs when a customer accumulates 3 or more No-Shows equal to 5% of the trips scheduled in 1 month. The accumulation of Repeated No-Show Violations serves as the basis for Service Suspension.

## 2.0. Service Suspensions

We will add up the number of times a customer has a Repeated No-Show Violation in 1 year, starting on January 1 and ending on December 31. After the 2nd time, we will give the customer a Service Suspension. The number of days that the customer is suspended will increase until the 5th time. The first time the customer has a repeated No-Show Violation in 1 year will result in a penalty of a Warning Letter.

The second time the customer has a repeated No-Show Violation in 1 year will result in a penalty of a 5 Day Service Suspension and cancellation of any trip subscriptions.

The third time the customer has a repeated No-Show Violation in 1 year will result in a penalty of a 10 Day Service Suspension.

The fourth time the customer has a repeated No-Show Violation in 1 year will result in a penalty of a 15 Day Service Suspension.

The fifth time the customer has a repeated No-Show Violation in 1 year will result in a penalty of a 20 Day Service Suspension. Each additional time thereafter that the customer has a repeated No-Show Violation in 1 year will result in a penalty of a 20 Day Service Suspension.

## 3.0. Notifying Customers About Single No-Shows

When customers do not show up for a trip (Single No-Show), they will receive an automated phone message informing them of the missed trip. The customer will also get a postcard about the missed trip(s). Customers can call RTS Access to discuss the missed trip and correct errors, confirm information, or explain how the trip was missed due to reasons beyond their control.

## 4.0. Reminding Customers About the Rules

We will send postcards to remind customers about the rules for trips and Single No-Shows as necessary. The first time the customer gets a Repeated No-Show Violation, we send will send a Warning Letter to the customer. The letter will explain the rules and explain that we will give the customer a Service Suspension for the next Repeated No-Show Violation. The letter will give a phone number (585-654-0647) that customers can call if they have questions or need guidance on how to use the service.

## 5.0. Suspending Customers

We will send a Notice of Suspension letter the 2nd time a customer gets a Repeated No-Show Violation for the year. The letter will list the Single No-Shows and Repeated No-Show Violations for the year, explain the penalty, and explain when the suspension starts and ends. Service Suspensions will start 14 days after the date defined in the letter. The letter will be mailed the same day through USPS. We will include a copy of our rules and procedures (“Paratransit No-Shows and Service Suspensions”), the form for appealing a service suspension (“Notice of Intention to Appeal Service Suspensions”) and the process for appeals “Paratransit Appeals Process and Procedures”).

## 6.0. Appealing Service Suspensions

If the customer files an appeal before the suspension start date, we postpone the suspension during the appeal process. We must receive the completed “Notice of Intention to Appeal Service Suspensions” form no later than 14 days from the date in body of the “Notice of Suspension” letter. We will conduct the appeal according to the RTS Access Paratransit Appeal Process and Procedures.

## 7.0. Giving Customers Our Procedures

If we revise our procedure for suspensions, we will send the new version to existing customers. We will send the procedure to customers each time we recertify or determine eligibility.

## 8.0. Supporting Details

Method for Calculating Repeated No-Show Violations: Every customer starts the calendar year on January 1 with zero Repeated No-Show Violations. Every customer starts the 1st day of a month with zero No-Shows. At the end of each month, we will follow these steps to calculate Single No-Shows and any Repeated No-Show Violations for each customer:

1. Add the Single No-Shows and the Late Cancellations for the month. The calculation is Single No Shows + Late Cancellations = No Shows in 1 Month.

2. Compare the No Shows to 3.

a. If the total is greater than or equal to 3, calculate the percentage of missed trips. The calculation is No Shows in 1 Month = 3 = Calculate % Missed Trips

b. If the total is less than 3, the trip use is acceptable. The calculation is No Shows in 1 Month < 3 = Acceptable Trip Use.

3. Divide the No-Shows by the total Trips in the month.

4. Multiply the total by 100 to calculate the percentage of Missed Trips. The percentage goes to the second decimal place; we will not round the value up or down. The calculation is No Shows in 1 Month = Trips in 1 Month x 100 = % Missed Trips

5. Compare the percentage of Missed Trips to 5%.

a. If the Missed Trips are greater than or equal to 5%, the customer will get a Repeated No Show Violation. The calculation is % Missed Trips = 5% = Repeated No Show Violation.

b. If the Missed Trips are less than 5%, the customer’s trip use is acceptable. The calculation is % Missed Trips < 5% = Acceptable Trip Use.

We will track Repeated No-Show Violations through the entire calendar year until December 31.

The example describes a pattern of Repeated No-Show Violations and the resulting penalty.

Example:

Month of January, 70 Trips, 3 Single No-Shows, 4.30% Missed Trips = No Violation and No Penalty.

Month of February, 40 Trips, 3 Single No-Shows, 7.50% Missed Trips = First Repeated No-Show Violation and a Penalty of a Warning Letter.

Month of March, 30 Trips, 1 Single No-Show, 3.30% Missed Trips = No Violation and No Penalty.

Month of April, 37 Trips, 0 Single No-Shows, 0 Missed Trips = No Violation and No Penalty.

Month of May, 64 Trips, 4 Single No-Shows, 6.25% Missed Trips = Second Repeated No-Show Violation and a Penalty of a 5-day Service Suspension and Cancellation of Trip Subscription.

Month of June, 100 Trips, 4 Single No-Shows, 4.00% Missed Trips = No Violations and No Penalty.

Month of July, 88 Trips, 3 Single No-Shows, 3.40% Missed Trips = No Violations and No Penalty.

Month of August, 88 Trips, 3 Single No-Shows, 3.40% Missed Trips = No Violations and No Penalty.

Month of September, 58 Trips, 3 Single No-Shows, 5.76% Missed Trips = Third Repeated No-Show Violation and a Penalty of a 10-day Service Suspension.

Month of October, 72 Trips, 3 Single No-Shows, 4.20% Missed Trips = No Violations and No Penalty.

Month of November, 43 Trips, 0 Single No-Shows, 0 Missed Trips = No Violations and No Penalty.

Month of December, 47 Trips, 0 Single No-Shows, 0 Missed Trips = No Violations and No Penalty.

Missed Trip for Reasons Outside the Customer’s Control: We will not count a missed trip as a Single No-Show if a customer misses a trip for a reason outside his or her control. Example: medical or family emergency, a pickup scheduled at the wrong location, or a situation where the Bus Operator did not follow the rules for pickup.

Round Trips: A round trip has 2 scheduled trips — an outgoing trip and a return trip. If the customer fails to appear for each trip or cancels both trips on short notice, the customer will get 2 No-Shows.

Cancelled Trip Subscriptions: A “Trip Subscription” assigns the customer to recurring trips (same location at the same time and day). Based on capacity, we will offer subscriptions to customers who take identical trips frequently, have zero Service Suspensions for 6 months, and have a current Conditional or Unconditional certification. The 2nd time a customer gets a Repeated No-Show Violation in the same year, we will cancel his/her trip subscription and tell the customer the date to begin scheduling every trip. If the customer meets the conditions for a new subscription, we will contact the customer. If we do not have capacity, we will add the customer to a subscription waiting list.

End of Paratransit No-Shows and Service Suspensions procedure in Exhibit 5.

# Paratransit Service Suspensions for Prohibited Conduct procedure proposed for 2017-18 Paratransit Plan.

## 1.0. Rules of Conduct

Rochester-Genesee Regional Transit Authority (“RGRTA”) transit vehicles, facilities and properties are intended to provide public transportation services for the benefit of RGRTA and its subsidiaries, its employees and the public. RGRTA, as referenced throughout this document, refers to the Rochester-Genesee Regional Transportation Authority and its wholly controlled subsidiaries, which include RTS Access as the provider of complementary paratransit for Monroe County. Customer use of RTS Access paratransit service is subject to compliance with RGRTA’s Rules of Conduct for Transit Vehicles, Facilities, and Properties (“Rules”). These Rules are intended to regulate conduct occurring on RGRTA transit vehicles, within or upon RGRTA facilities and properties, including the RTS Transit Center, and in connection with RGRTA’s provision of public transportation services. These Rules apply to all transit conveyances and facilities, including paratransit service.

## 2.0. Service Suspension due to Prohibited Conduct

On RTS Access, the Americans with Disabilities Act (ADA) permits the suspension of customers from the service who engage in violent, seriously disruptive or illegal conduct towards other customers (passengers), Bus Operators, or RTS Access staff, or RGRTA staff. RTS Access customers are responsible for the conduct of their Personal Care Attendants and/or companions, including children.

## 3.0. Prohibited Conduct

The following is a partial list of the Rules concerning prohibited conduct. RTS Access customers may be fined or suspended, as applicable (and criminal conduct may lead to arrest), for engaging in any of the following prohibited acts:

1. Refusing to allow proper securement of a wheelchair or mobility device.

2. Using any nicotine, tobacco product (i.e. chewing tobacco) or smoking device (including “e-cigarettes” and “vaping”) except at a designated place. Carrying or holding a lit or smoldering pipe, cigar, or cigarette except at a designated place.

3. Discarding litter other than in designated receptacles. Dumping and/or discarding any materials including but not limited to hazardous substances and automotive fluids. Carrying any flammable liquid, explosive, acid, or other article or material likely to cause harm to others.

4. Producing unreasonable noise, including playing sound-producing devices without earphones, headphones, or an ear receiver to limit sound to individual listeners.

5. Spitting, expectorating, urinating, or defecating, except in the appropriate plumbing fixtures in restroom facilities.

6. Hindering or preventing access by causing unreasonable delays in boarding or alighting; or blocking or partially blocking an aisle or stairway with a package or object; or reclining in more than one seat; or interfering with or seriously disrupting the provision or use of transit services in any way.

7. Disturbing others by engaging in loud, raucous, unruly, aggressive, violent, harmful, or harassing behavior.

8. Destroying, defacing, or otherwise damaging RGRTA property or any signs, notices, or advertisements on transit property.

9. Consuming an alcoholic beverage or having possession of an open container containing an alcoholic beverage.

10. Carrying or storing any firearm, shotgun, rifle, or other dangerous weapon or article.

11. Throwing any object at RGRTA transit vehicles, facilities, and properties; or at any person therein; or within RGRTA transit vehicles, facilities, and properties; or out of any door or window of any RGRTA transit vehicle.

12. Allowing any animal to occupy a bus seat (unless required by applicable law in the case of a service animal); or run at large; or block an aisle or exit; or unreasonably disturb others; or leave waste matter; or interfere with transit-related activities.

13. Eating on RGRTA transit vehicles or in prohibited areas unless required by applicable law.

14. Not wearing shoes and/or clothing, such as shirt, pants, dresses, etc.

15. Distributing, selling, or offering for sale or donation any written or printed material, including books and pamphlets.

16. Committing any act which tends to create or incite, or creates or incites, an immediate breach of peace, including, but not limited to fighting; or obscene language and noisy or boisterous conduct tending to cause a breach of the peace; or personally abusive epithets, or words or language of an offensive, disgusting or insulting nature, which when addressed to the ordinary citizen are, as a matter of common knowledge, inherently likely to provoke a violent reaction of fear, anger or apprehension.

17. Engaging in sexual activity with oneself or others.

18. Entering RGRTA transit vehicles, facilities, and properties when lacking the ability—because of illness, intoxication, or medication(s)—to care for oneself.

19. Engaging in any harassment, defined as acts occurring within or about RGRTA facilities or vehicles: (1) when a person intentionally and repeatedly harasses another person by following such person in or about a public place or places or by engaging in a course of conduct or by repeatedly committing acts which places such person in reasonable fear of physical injury; (2) when a person, with intent to harass, annoy, or alarm another person (a) strikes, shoves, kicks or otherwise subjects another person to physical contact, or attempts to or threatens to do the same; or (b) follows a person about in a public place or places; or (c)engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose.

## 4.0. Enforcement

RTS Access reserves the right to suspend customers who engage in violations of the Rules of Conduct for Transit Vehicles, Facilities, and Properties to the extent permitted by ADA and/or to issue summonses when such conduct is observed by a police officer or other officer duly designated to issue summonses.

## 5.0. Appeal Process

Except for suspensions for violent or seriously disruptive conduct, before suspending service, RTS Access will notify the customer in writing. The notice will identify the specific conduct leading to the suspension and the duration of the suspension. The customer will have an opportunity to be heard and to present information and arguments as to why the suspension should not be imposed. Following this process, RTS Access will notify the customer in writing of the final decision and the reasons for it. In the case of suspensions for violent or seriously disruptive conduct during a paratransit trip, the suspension will take effect immediately, but the customer will be entitled to a post-suspension appeal. The same appeal procedures noted above will be followed.

End of Paratransit Service Suspensions for Prohibited Conduct procedure in Exhibit 5.

# Notice of Intent to Appeal Suspension form proposed for 2017-18 Paratransit Plan.

Customer Name:

Client ID#:

I intend to appeal the suspension [ ] In Writing [ ] In Person

If appealing in writing, please provide information specifically stating why the violations charged are in error. Please include any documentation to support the statements.

If appealing in person RTS will call to arrange for a hearing, at a mutually agreed upon date, no later than 21 days from the date the notice of suspension was issued. RTS Access will advise you in writing of its decision concerning your appeal within 7 days of the hearing. The decision of the Appeals Committee is final.

Please mail this completed form to:

RTS Paratransit Services

Appeals Coordinator

1372 East Main Street

Rochester, NY 14609

End of Notice of Intent to Appeal Suspension form

End of Exhibit 5

There are 14 total Exhibits available for public comment.