

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

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TITLE: SERVICE ANIMALS ON METRO'S FIXED ROUTE AND PARATRANSIT VEHICLES AND METRO'S FACILITIES

Procedure History

NEW POLICY

SUMMARY OF POLICY

APPROVED

September 24, 2010

New Policy



I. POLICY

- 1.01 Santa Cruz Metropolitan Transit District (METRO) is committed to taking reasonable measures to ensure that all passengers and the public enjoy the public transportation services provided by METRO and are able to utilize METRO facilities with ease and comfort. METRO has designed this policy to assist those qualified individuals with disabilities who use service animals to better utilize the fixed route bus services, paratransit services and METRO facilities. In addition, this policy will enable METRO employees to facilitate utilization by such individuals of METRO's services and facilities.
- 1.02 Service animals play an important role in ensuring the independence of individuals with disabilities, and it is METRO's policy to welcome any service animal that is trained to assist an individual with a disability on fixed route buses, paratransit vehicles, and in METRO's public facilities. This policy is designed to assist METRO employees and qualified individuals with disabilities in complying with State and Federal laws including the Americans with Disabilities Act (ADA) and its amendments.

II. APPLICABILITY

- 2.01 This policy is applicable to METRO employees, qualified individuals with disabilities using the fixed route and paratransit services, and/or METRO facilities.

III. DEFINITIONS

- 3.01 **"Direct Threat"** means a significant risk of substantial harm to the health and safety of other individuals.
- 3.02 **"Person with a Disability"** means an individual who has a physical or mental impairment that substantially limits one or more major life activities of the individual; an

individual with a record of such impairment; or being regarded as having such an impairment.

- 3.03 **“User/Owner”** means an individual with a disability who requires assistance with one or more daily life activities from a service animal, or service animals.
- 3.04 **“Service Animal”** means any dog, or other animal individually trained to do work or perform tasks for the benefit of a qualified individual with a disability, including psychiatric, cognitive or mental disabilities. Possible tasks that service animals may perform include but are not limited to, guiding individuals who are blind or have low vision, alerting individuals who are deaf or hearing impaired to the presence of people or sounds, pulling a wheelchair, fetching dropped items, assisting an individual during a seizure, retrieving medicine or alerting the individual to a telephone call, providing physical support to assist with balance and stability to individuals with mobility disabilities and assisting individuals including those with cognitive disabilities with navigation. A service animal is *not* a pet or a comfort animal.

IV. STANDARDS

- 4.01 The user/owner boarding a METRO vehicle with a service animal may not be charged an extra fee for the service animal.
- 4.02 The user/owner is not limited in the number of service animals he/she may have as each may provide different types of service.
- 4.03 The user/owner must be in control of the service animal(s) at all times.
- 4.04 The service animal(s) must be appropriately trained and be able to perform its tasks for the benefit of the user/owner.
- 4.05 There is no specific requirement about how to board a service animal onto the bus or paratransit vehicle. The bus operator, or paratransit operator should ask the user/owner how he/she would like to board with his/her service animal(s), and follow the requested procedures, if appropriate, and reasonable. An operator may call Dispatch for assistance.
- 4.06 Users/owners with service animals may not be required to sit in a specified area.
- 4.07 As long as they are not blocking aisles or exits or interfering with other passengers entering, exiting or riding METRO vehicles, service animals may sit or lie:
- a. At their user/owner’s feet, under the seat;
 - b. Directly beside their user/owner’s mobility aid (e.g., wheelchair, walker, scooter);
 - c. Between their user/owner’s knees;
 - d. On their user/owner’s lap; or
 - e. In some type of pouch or carrier.

- 4.08 Service Animals are not permitted to ride in or on METRO bus seats or paratransit vehicle seats, unless the vehicle provides insufficient floor space for the animal and the user/owner has a plastic sheet to cover the full area that the animal uses to sit. If there is insufficient floor space for seating of the service animal, the operator will call Dispatch for instructions.
- 4.09 If other passengers are afraid of animals, or have severe allergies, that does not supersede the rights of the user/owner to utilize METRO's transportation services with a service animal. Those other riders may be permitted to pay their fare, and then board via whichever door of the bus allows him/her access away from the service animal or they can wait for the next bus. If separation in the vehicle is not possible to avoid these issues, the operator will contact Dispatch for instructions.
- 4.10 A service animal may be prohibited from METRO facilities and from riding on METRO fixed route and/or paratransit vehicles if the animal poses a direct threat to the health or safety of the user/owner, other passengers, or METRO employees; or demonstrates aggressive behavior towards other passengers or other service animals; or disrupts the METRO driver from safely performing his/her duties.
- 4.11 METRO will not exclude a particular service animal based solely on experience with other similar type service animals, or on an unreasonable fear that is not related to the service animal's actual behavior. Each situation will be considered on the actual facts and circumstances at issue on an individual basis.
- 4.12 Other passengers or members of the public are not permitted to touch, or interfere in any way with a service animal without the consent of the user/owner.
- 4.13 Any person including a person with a disability or a user/owner who does not comply with this policy and its procedures will be asked to disembark the fixed route bus, paratransit vehicle, or will be asked to leave the transit facility. METRO operators are required to contact Dispatch for instructions before requiring any individual to alight from the vehicle or vacate a facility.

V. USER/OWNER RESPONSIBILITIES

- 5.01 Prior to boarding/deboarding a METRO bus or paratransit vehicle, the user/owner with a service animal must let the operator know what assistance, if any, may be required with boarding, or alighting the vehicle. The user/owner is responsible for knowing the best way to board and position the animal on the vehicle.
- 5.02 When scheduling a ride with METRO's Paratransit services, a ParaCruz eligible user/owner is responsible to let METRO know that he/she will be traveling with a service animal so that METRO can accommodate the service animal when the vehicle arrives for pick-up. If the ParaCruz eligible user/owner has not provided prior notice to METRO's Paratransit services, METRO will accommodate the user/owner and his/her service animal to the best of its abilities. If METRO's Paratransit services cannot accommodate the eligible user/owner at that time, the user/owner will need to reschedule the trip at a

later time. The ParaCruz eligible user/owner should notify ParaCruz that he/she will be using a service animal(s) for all his/her trips, or he/she can make such notification when scheduling a specific ride.

- 5.03 The user/owner is solely responsible for the supervision, control, care, and safety of his/her service animal while boarding, riding and alighting from METRO buses and paratransit vehicles, and while at METRO facilities.
- 5.04 The user/owner is responsible to make sure that any disruptive behavior (e.g., growling at other service animals, lunging toward other passengers) from the service animal is stopped immediately.
- 5.05 The user/owner of a service animal that displays unruly disruptive or threatening behavior (e.g., running around the vehicle out of control, aggressiveness towards others and/or other disruptive behavior) may be asked to remove the animal by METRO personnel.
- 5.06 The user/owner is responsible for managing interactions with other passengers and members of the public when situations arise, such as asking the other individuals not to pet, feed, distract or interrupt their service animal while it is working.
- 5.07 In the event that a service animal causes damage to METRO property, the user/owner shall be liable for reimbursement to METRO for the damages to any METRO vehicle or METRO facilities. The user/owner will also be financially responsible for any injuries which may be sustained by METRO passenger(s) or employee(s) that are caused by the service animal.
- 5.08 Upon request, METRO will provide a courtesy card with a photo ID of the service animal and the user/owner at no additional cost. Please contact Customer Service at (831) 425-8600 for further information.
- 5.09 If accessible services training, or mobility training is needed, please contact METRO's Accessible Services Coordinator at (831) 423-3868 for fixed route services, and/or Road Response and Training Coordinator for Paratransit at (831) 425-4664.

VI. TRAINING OF EMPLOYEES

- 6.01 The Operations Manager is responsible to schedule training for all METRO bus operators, paratransit operators, transit supervisors, dispatchers, Customer Service employees and Facilities Workers, so that they know how to provide service to METRO passengers with disabilities in an appropriate and respectful manner, including, but not limited to, providing equal treatment to users/owners with service animals using METRO's public transportation services and facilities.
- 6.02 METRO employees may inquire if an animal is a service animal and ask what tasks the service animal is trained to perform; however, they may not require that a customer present special identification for his/her service animal(s), or ask about the person's disability.

- 6.03 METRO employees shall receive training on providing assistance in a respectful manner to individuals with disabilities who use service animals to access METRO facilities, customer service, transit centers and public transportation services.
- 6.04 METRO employees are encouraged to provide reasonable assistance, as needed, to individuals with disabilities who use service animals.
- 6.05 All METRO bus operators and paratransit operators are required to provide transportation services to the general public, including people with disabilities who choose to use service animals in accordance with this regulation.
- 6.06 In the event that any procedure under this policy prevents or threatens to prevent a user/owner from using METRO fixed route service or paratransit service with his/her service animal(s), the METRO bus operator or paratransit operator shall contact Dispatch immediately for instructions.

VII. COMPLAINT PROCEDURE

- 7.01 If any person believes that he/she has not been treated in accordance with this policy while traveling on a METRO bus or paratransit vehicle because of the use of a service animal, the passenger may immediately contact METRO Customer Service at (831) 425-8600 or the Accessible Services Coordinator at (831) 423-3868 to register a complaint, or the California Relay System (CRS Hearing / Speech Impaired) at 711 or 800-735-2929.
- 7.02 A user/owner may also file an ADA/504 complaint on METRO's website under the **"Agency Info"** tab: <http://www.scmtd.com/en/agency-info/policies> and then scroll down to the **"ADA/504 Policy"**.
- 7.03 Complaints can also be filed with the Federal Transit Administration (FTA) Office of Civil Rights at their toll free FTA ADA Assistance Line 1-888-446-4511 (voice), or the Federal Information Relay Service 1-800-877-8339. In addition, an ADA Complaint Form is also available on FTA's website:
http://www.fta.dot.gov/civilrights/ada/civil_rights_3889.html.

VIII. ADMINISTRATION OF REGULATION

- 8.01 The Operations Manager or his/her designee is responsible for the following:
 - a. Ensuring that this regulation is disseminated to all existing fixed route and paratransit operators, transit supervisors and trainees.
 - b. Ensuring that this regulation is disseminated to all new and future fixed route and paratransit operators, transit supervisors and trainees.
 - c. Providing guidance, training and assistance to all fixed route and paratransit operators, transit supervisors, and dispatchers who are responsible for implementing this policy.

- 8.02 Each METRO Department Manager or his/her designee shall provide guidance and training to employees within his/her department in accordance with the Service Animals Policy. In addition, each METRO Department Manager shall regulate and implement this policy in his/her department.
- 8.03 METRO will integrate the Service Animals on Fixed Route and Paratransit Vehicles and METRO's Facilities Policy into its Policies and Procedures.