



## Reasonable Modification of Public Transportation Services Policy

Amarillo City Transit (ACT) operates two distinct public transportation services – a traditional fixed route system and a complementary paratransit service ACT-Connect™. Both Fixed Route and ACT-Connect™ serve individuals with varying degrees of mobility.

ACT will consider a reasonable modification to policies, practices, and procedures to ensure public transportation is operated in an accessible manner.

It is also important to remember that, “the Americans with Disabilities Act (ADA) is a civil rights statute, not a transportation or social service program statute. The ADA clearly emphasizes nondiscriminatory access to fixed route service, with complementary paratransit acting as a “safety net” for people who cannot use the fixed route system. Under the ADA, complementary paratransit is not intended to be a comprehensive system of transportation for individuals with disabilities. Another way of saying this is that the ADA does not attempt to meet all the transportation needs of individuals with disabilities. Section 37.123 ADA Paratransit Eligibility – Standards”

The first line of defense for each bus and each passenger is the driver. In many cases – the passengers on ACT’s vehicles are Amarillo’s most vulnerable citizens. In order to avoid a direct threat to their safety, ACT will first and foremost consider the safety of the passengers in the bus before approving a reasonable modification.

It is ACT policy to work with customers to accommodate needed modifications during the eligibility determination process.

To request a modification to Amarillo City Transit’s (ACT) policies and practices, the individual or someone on their behalf must submit a request to ACT. The request must include the following information:

- Who needs the modification – (Name, phone number, address, e-mail address)
- What do you want ACT to do – (Describe the change you want to see take place)
- When is the modification needed – (Is the change needed on a certain day or time)
- Where will the modification take place – (Include the street or intersection or building name)
- Why is the modification needed – (Describe the circumstances that created the request)
- Provide how you would like to receive a response (letter, email or other) and if you need an alternative format.



Requests for a modification to ACT's policies and practices may be denied if the requested modification is unreasonable, meaning:

- Would fundamentally alter the nature of the ACT's services, programs, or activities,
- Granting the request would create a direct threat to the health or safety of others,
- Without the requested modification, the individual with a disability is able to fully use ACT's services, programs or activities for their intended purpose,
- The request would cause an undue financial and administrative burden.

When ACT denies a reasonable modification request, ACT shall offer, to the maximum extent possible, any other action (that would not result in a fundamental alteration, or direct threat, or an undue financial and administrative burden) that may enable the person to use ACT for its intended purpose.

When a request for a bus stop modification cannot be made and approved of in advance – because of a barrier which the individual with a disability was unaware of until arriving at the bus stop, ACT shall evaluate the request as the barriers are identified. The driver shall ask a supervisor to evaluate the request at the bus stop and when possible, the supervisor will make a determination at that time.

It is not discrimination under the ADA for ACT to refuse to provide service to an individual with disabilities if that individual engages in violent, seriously disruptive, or illegal conduct, or represents a direct threat to the health or safety of others.

This policy is available on the City of Amarillo's website – [www.amarillo.gov](http://www.amarillo.gov)

Please send your written requests for Reasonable Modifications to:

Amarillo City Transit,  
P.O. Box 1971

Amarillo, Texas 79105  
Attention: Transit Director

Or Call 806-378-6842. If you use a TTY machine you can contact the Transit Director through Texas Relay Services at 800-676-3777 or 7-1-1.

You will be notified in writing of the determination of your reasonable modification request within 20 business days of the receipt of your request.

### **Appeals Process**

You may appeal if you disagree with the decision on a complaint or request for reasonable modification. There are three (3) opportunities to appeal. Appeals should be made in the following order:

1. Amarillo City Transit Director
2. Deputy City Manager
3. Advisory Committee for People with Disabilities



The first appeal must be received by the Transit Director within ten (10) business days. You may submit your appeal as follows:

Transit Director, at 806-378-6842, or TTY through Texas Relay Services at 7-1-1.

Or e-mail your appeal to [Chris.Quigley@amarillo.gov](mailto:Chris.Quigley@amarillo.gov)

You may submit your request in person and visit the administrative offices at 801 SE 23<sup>rd</sup> Avenue.

The Transit Department offices are located on Route 33 with a bus stop at the front door. Or, you may submit your request by mail to:  
The City of Amarillo – Amarillo City Transit  
P.O. Box 1971  
Amarillo, Texas 79105  
Attention: Transit Director

Please notify the Transit Director how you would like to be informed of the decision – a letter, an e-mail, or by phone. If you do not indicate a preferred method, a letter will be mailed to the address in the original correspondence.

At each level of appeal, you will receive a response within twenty (20) business days. If the appeal is in your favor, the reasonable modification will be implemented. If the appeal is not in your favor, you will be given instructions on how to proceed with the next level of appeal. The Advisory Committee for People with Disabilities is the final level of appeal, and their decision is final.

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