

Resolution 2020-02

Regarding a Reduction in the Quality of Services Provided to Para-transit Ridership and Violation of the American's With Disabilities Act of 1990 by The Transit Authority of River City (TARC)

WHEREAS, The Transit Authority of River City (TARC) is the only public transportation system serving the greater Louisville region, providing over 12.5 million passenger trips annually through fixed route and para-transit services; and

WHEREAS, Effective February 1, 2020 TARC entered into a multi-year agreement with MV Transportation to provide Para-transit services, also known as TARC3, replacing the previous contractor First Transit, who was performing in this role since October 1, 2012; and

WHEREAS, This change in contractors is resulting in a significant reduction in the quality of services to include but not limited to, poor customer service when booking or confirming reservations, receiving incorrect or incomplete information from drivers and customer service representatives, missed trips, pick-up times which fall outside of the designated 30 minute window, passengers transported in vehicles beyond the allowable riding time of 90 minutes before reaching their destinations and passengers returned home hours after requesting a will call from a medical appointment; and

WHEREAS, The Novel Coronavirus also known as COVID-19 pandemic has required TARC to implement modifications to operating policies to comply with CDC recommended guidelines; and

WHEREAS, Effective March 31, 2020 TARC set a goal of limiting ridership to one passenger per cab and two passengers per bus when available; and

WHEREAS, this goal has resulted in implementation of TARC operating policies causing a direct violation of the American's With Disabilities Act of 1990, 49 CFR 37.123(f)(ii), for those riders using a personal care attendant, PCA; and

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WHEREAS, 49 CFR 37.123(f)(ii) states if the ADA paratransit eligible individual is traveling with a personal care attendant, the entity shall provide service to one other individual in addition to the attendant; and

WHEREAS, Customer service representatives are advising riders when booking reservations that only one person may accompany a passenger on rides, regardless of whether the passenger uses a personal care attendant, PCA; and

WHEREAS, TARC has failed to answer very specific questions surrounding the aforementioned and other concerns, referring inquiries to the TARC3 eligibility office or customer service representatives; and

WHEREAS, The National Federation of the Blind of Greater Louisville has requested TARC immediately begin a dialog to address concerns in a timely manner; and

WHEREAS, TARC has, to date advised concerns be submitted through the usual and customary processes which have proven unproductive: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind of Kentucky in Convention assembled this third day of October, 2020 that this organization demand TARC leadership recognize that implemented changes to operating policies, while attempting to comply with the CDC recommended guidelines are in fact creating an undue hardship for passengers who use a personal care attendant, PCA from booking rides with the additional guest allowed by the American's with Disabilities Act of 1990; and

BE IT FURTHER RESOLVED that this organization demand TARC institute the appropriate education for all personnel to ensure that this violation of the law is corrected immediately; and

BE IT FURTHER RESOLVED that this organization demand that TARC leadership recognize that a substantial gap in service exists as a direct result of the change in contractors to MV Transportation effective February 1, 2020 and immediately begin a dialog with the National Federation of the Blind of Greater Louisville which will occur timely and regularly to ensure TARC is taking the necessary steps to improve the quality of para-transit services; and

BE IT FURTHER RESOLVED that this organization shall work collectively with other

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consumer groups, organizations and agencies as may be appropriate to accomplish our goals of improving para-transit services for all passengers.