

# **LRGVDC Transit Services Department**



## **ADA Policies and Procedures**

Approved by  
LRGVDC Board of Directors  
June 25, 2025

***Lower Rio Grande Valley Development Council***

**Valley Metro**  
**510 S. Pleasantview Drive**  
**Weslaco, TX 78596**  
**(956) 969-5761**  
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## **INTRODUCTION**

It is the objective of the LRGVDC – Valley Metro to address the need for public transportation by administering and coordinating a public transportation program. Inherent in this objective is the provision of transportation services to persons with disabilities. The provision of transportation services is undertaken within the framework and approach of the (ADA) American with Disability Act of 1990, related regulations issued by the (USDOT) United States Department of Transportation and any revision and/or updates issued subsequently.

## **PURPOSE**

The policies and procedures in this manual have been drafted to ensure persons with disabilities not be excluded from participation in, be denied the benefits of, or be subject to discrimination in any Valley Metro program or services. (49 CFR 27.1) Link for more information regarding (FTA) Federal Transportation Administration (ADA) American with Disability Act regulations, please see our website.

LRGVDC - Valley Metro is the public transportation provider for Cameron, Hidalgo, Willacy, Starr, and Zapata counties. This service has a set of policies that passengers must follow.

This booklet provides policies pertaining to passenger safety and responsibilities for using our service.

It is for the benefit of all passengers that policies regarding passenger safety and responsibilities are followed. The policies in this booklet are critical to the efficiency and effectiveness of our Urban and Rural Transit District.

All policies will be enforced in a consistent and fair manner. If you feel you have been treated unfairly, an appeals complaint process and telephone number are included in this booklet on page 13.

## **PUBLIC TRANSIT SERVICES**

LRGVDC - VALLEY METRO prides itself on providing safe and reliable transit services to the general public for Cameron, Hidalgo, Willacy, Starr, and Zapata counties. Transit is open to everyone. LRGVDC – Valley Metro operates a demand response service. Requests must be made at least one business day prior to the desired trip date and may be scheduled up to 30 days in advance.

### **Public Transportation**

Hours of service are from: Monday through Sunday – 6:00 a.m. to 8:30 p.m. (Note: Rural service not available on Saturday & Sunday.)

Public Transit service is not offered during the following holidays:

New Year's Day  
Memorial Day  
July 4<sup>th</sup>  
Labor Day  
Veterans Day  
Thanksgiving Day  
Christmas Day

## **SCHEDULING**

LRGVDC – Valley Metro will accept trip requests or appointments, from one (1) day to seven (14) days in advance [49 CFR 37.131 (b) & (b) (4)] Trips requests that are not made by 5 PM (at least one (1) day before the scheduled trip date, same day trips) are not allowed and will not be granted.

Requests for reservations will be accepted during normal business hours on a "next day" basis (not 24 hours in advance) on all days prior to days of service (e.g., weekends, holidays). Reservations for the next day service will be taken during administrative office hours. Reservations can be accepted using mechanical means (e.g., answering machines). [49CFR 37.131 (b) (1)]

Trips will be scheduled to begin no more than one (1) hour before or after the individual's desired departure time. [49 CFR 37.131 (b) (2)].

To ensure that timely service is provided to all passengers, patrons must remain at their drop-off locations at least one (1) hour before they are picked up again. Pick-ups cannot be scheduled earlier than that time.

### **a. Phone Procedures**

LRGVDC – Valley Metro will request the following information when receiving a trip request:

- ✓ Patron name,
- ✓ Complete address of pick-up point,
- ✓ Companion or guest name, if applicable,
- ✓ Telephone number or a number where the patron can be reached,
- ✓ The date of requested pick-up,
- ✓ The time of requested pick-up,
- ✓ Destination address (or location name),
- ✓ The time of appointment (medical, etc.), if applicable,
- ✓ Return time, if applicable.

Patrons will be allowed to schedule as many trips as they wish during any one call, time permitting.

**b. Curb to Curb**

**Rural Transportation**

LRGVDC- Valley Metro also provides Demand Response transit services under the rural transportation program. Demand Response is curb to curb service that utilizes relatively small vehicles to provide transportation at the user's demand. The LRGVDC – Valley Metro will provide service to any eligible person at any requested time on a particular day in response to a request for service made the previous day. (Reservations may be made by reservation agent or by mechanical means). Demand Response service is open to the general public but in particular is helpful to seniors and persons with disabilities. This service is for residents of Cameron, Hidalgo, Willacy, Starr, and Zapata.

**County of Willacy**

The LRGVDC – Valley Metro will provide service for its general public in particular for senior and disabled residents. The service provides trips for residents of Willacy County & Harlingen Downtown/Medical District. Trips must be scheduled in advance to use the service.

**c. Flex Routes**

**Urban Transportation**

Valley Metro Demand Response

An LRGVDC – Valley Metro transportation system that can transfer customers in the urban areas in Hidalgo County, this system requires at least one (1) day in advance notice. Limited space is available; occupancy is on a first serve basis. Valley Metro services can transfer customers to and from medical, facilities, shopping center and other business locations. Service provided is non-emergency only.

Valley Metro Bus Routes

LRGVDC – Valley Metro provides Urban Transportation services known as Flexed. These are flexible routes service and they are open to the general public. The LRGVDC – Valley Metro will provide service to any eligible person at the requested time on a particular day in response to a request for service made the previous day. Reservations may be made by Customer Service Representative and or Program Specialist I - Dispatch or by mechanical means (Voice mail). Valley Metro buses may deviate up to one-half (1/2) of a mile from the route to pick up or drop – off passengers.

## **CANCELLATIONS/NO SHOWS**

Passengers may be picked up as early as 15 minutes before or as late as 15 minutes after their scheduled pick-up time.

Patrons will be required to begin their approach to the vehicle within five (5) minutes of its arrival at the pick-up point. [49 CFR 37.167(i)]

Cancellations will be required at least 60 minutes before the scheduled pick-up time.

The guidelines in this section will be suspended in case of inclement weather or other circumstances.

Cases where trips are missed because of circumstances beyond the patron's control are not no-shows. [49 CFR 37.125(h) (I)]

### **Suspension for No-Shows**

A no-show is a user who is not at or does not appear at the pick-up vehicle within five (5) minutes of its arrival at a scheduled pick-up point; or a user who fails to notify LRGVDC – Valley Metro at least 60 minutes in advance of his/her intent to cancel a scheduled trip.

When an ADA eligible individual establishes a pattern or practice of missing scheduled trips, LRGVDC – Valley Metro may temporarily suspend bus services. The following are the factors that are used to help determine if a pattern or practice has been established and the suspension if any:

# No – Shows Considered Excessive	LRGVDC Action (by certified Mail)	Period of Suspension
1 <sup>st</sup> Occurrence (3 in one month)	Warning letter of suspension	0
2nd Occurrence (3 in subsequent month)	Notice letter of suspension	30
3 <sup>rd</sup> Occurrence (1 time after warning letter)	Notice letter of extended suspension	3 months

Trips missed by the individual for reasons beyond his or her control (including, but not limited to, trips which are missed due to operator error) shall not be a basis for determining patterns of practice exist. Before suspending the service, LRGVDC – Valley Metro will take the following steps:

1. The individual will be notified in writing by certified mail that LRGVDC – Valley Metro proposed to suspend service. This notification must cite, in detail, the basis for the proposed suspension and the exact sanction to be imposed.

2. Provide the individual with an opportunity to be heard and to present information and arguments.
3. Provide the individual notification in writing of the decision and the reason for the decision. In case of temporary suspension of “no-shows” suspension of service must not begin until the appeal process is completed

All disciplinary actions will take mitigating factors, such as weather, vehicle problems, and other circumstances into account.

If an individual with a disability is denied service, the individual will have the opportunity to appeal the service suspension and present information demonstrating that previous issues have been resolved or present options to mitigate problems, so their service can be reinstated. [FTA CFR 10.1, pg2-6]

If the patron chooses to appeal the disciplinary action, that action will be pending the outcome of the appeal. [49 CFR 37.125(h) (3)]

Disciplinary actions “Appeal Process” is found on Page 13 of this policy and procedures manual.

## **ESCORTS/GUESTS**

LRGVDC – Valley Metro will allow patrons to bring at least one (1) companion, such as a personal care attendant or guests, on their trips. [49 CFR 37.123(1)]

### **Personal Care Attendants**

Personal care attendants are individuals designated or specifically employed to help patrons with their personal needs.

Persons with disabilities will not be required to have personal care attendants in order to use Valley Metro services or programs. [49 CFR 37.5(e)]

However, patrons will be required to use personal care attendants in cases where patrons have difficulty getting to at least 10 feet within the Valley Metro bus.

## **GUESTS**

One (1) guest (who is not a personal care attendant), such as a family member or friend, may accompany a patron on his/her trip. [49 CFR 37.123(f) (i) (ii)]

### **Passenger Assistance Guidelines**

Boarding and disembarking assistance may be required by any passenger, but most often is

needed by the elderly and disabled. LRGVDC – Valley Metro operators learn and practice hands-on passenger assistance techniques during the initial training process. The following simply presents basic guidelines for all operators to remember.

It is the operator's responsibility to ensure the safety of all passengers. Boarding/ disembarking or on-board mishaps resulting in possible injury will be treated as accidents. Steps likely to prevent such mishaps include:

- Ensure a safe and well-lit entrance area. Keep the steps clean and the aisle clear of possible obstructions. Sweep steps and aisles free of sand, ice, mud, etc. periodically during inclement weather. If floors are slick, warn passengers to watch their step.
- Pay attention to where you stop. Do not leave awkward spaces next to sidewalks, curbs, grates, etc., in which to trip or sprain an ankle. Make sure entrance is clear from signs, fire hydrants, mailboxes, etc.
- Observe the passenger and identify any potential conditions that might lead to problems.
- Offer assistance if it appears necessary. If accepted, await instructions from the passenger before proceeding. Do not interfere with movements already begun or startle the passenger. If the offer is declined, stand close by ready to assist as the circumstances warrant.
- Talk to the passenger through the assistance process. Explain what you are doing and take their advice if they wish to be assisted in a particular way.
- Always place yourself on the downhill side of the person or the wheelchair to provide assistance. This includes curbs, steps, ramps, and wheelchair lifts.
- Treat all wheelchairs as if they had no brakes. If a passenger is going to stand or sit, you should always lock the brakes prior to the move. After the brakes are placed in a locked position, test to see if they are holding. Support the wheelchair during all maneuvers, especially on lift platforms and during transfers to and from stationary seats.
- Use "body belts" before loading wheelchairs to keep the disabled passenger in the wheelchair. Make sure lift standees hold handrail securely. Secure all mobility aids on board the vehicle properly.
- Brakes on the wheelchair must be locked during lift operation and transport.
- Do not attempt more than you can safely handle. Obtain additional assistance if necessary.



## **FARES**

A disabled person, for the purpose of this discount is defined as a person “who by reason of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including any individual who is a wheelchair user or has semi- ambulatory capabilities), cannot utilize without special facilities, planning, or design, mass transportation service or facilities as effectively as person not so affected. [49 CFR 609.1]

Personal care attendant traveling with disabled person will travel free on any bus route system. The attendant must be accompanying the disabled person to receive this discount.

## **WHEELCHAIR USERS**

LRGVDC - Valley Metro will transport any wheelchair on its vehicles as long as: 1) The dimensional requirements do not create or pose a safety concern or liability to the vehicle or its passengers, and 2) the weight capacity does not exceed the manufacturers recommended designed load specifications when occupied. [49 CFR 37 & 38]

Wheelchairs must be placed in the designated area on the vehicle where it can be secured. Wheelchairs will not be permitted to ride in any other location. [49 CFR 37.165 (b) & (c) (3)]

If a wheelchair cannot be secured or restrained, the patron may still ride on the vehicle, but he/she must remain in the designated area. [49 CFR 37.165(d)]

In some circumstances, Valley Metro will ask a passenger using a wheelchair to transfer to a vehicle seat, although the passenger will not be required to move. [49 CFR 37.165 (e)]

Valley Metro will allow any patron who requests to board using a wheelchair lift or ramp to do so even if he/she does not use a wheelchair. [49 CFR 37.165(g)] However, lifts and ramps will not be deployed at stops where they will be damaged if deployed or there is some temporary danger that prevents safe use of that stop. [49 CFR 37.167(g)]

Where necessary or upon request, LRGVDC - Valley Metro personnel will assist individuals with disabilities with the use of securement devices, ramps, and lifts. [49 CFR 37.165(f)]

## **MAINTENANCE OF WHEELCHAIR LIFTS, RAMPTS AND SECUREMENT DEVICES**

Valley Metro has in place a system of regular and frequent maintenance checks of its wheelchair lifts and ramps to ensure operability. [49 CFR 37.163(b)] Through daily inspection forms and two-way radios the LRGVDC ensures that vehicle operators report any failure of a lift to operate in service.

Operators are required to notify Program Specialist I - Dispatch immediately if a lift is inoperable for any reason so that maintenance can be applied. [49 CFR 37.163(c)]

If a lift or ramp becomes inoperable during service, the vehicle in which the lift or ramp is located will be removed from service, repaired, and placed in service no earlier than the beginning of the next service day unless doing so would reduce the transportation service that Valley Metro provides and there is no spare vehicle available to take the place of the one with the inoperable lift or ramp. In that case, the vehicle with the inoperable lift or ramp may stay in service for no more than three (3) days from the day on which the inoperability was discovered. [49 CFR 37.163 (d) & (e)]

If a vehicle with an inoperable lift or ramp operating on a route and the headway to the next accessible vehicle on the route is more than thirty (30) minutes, Valley Metro will provide alternative transportation to individuals with disabilities who are unable to use the vehicle because the lift or ramp is inoperable. [49 CFR 37.163(f)]

### **OTHER MOBILITY AIDS & EQUIPMENT**

LRGVDC - Valley Metro will allow service animals on its vehicles and in its facilities. [49 CFR 37.167(d)]. A service animal is any guide dog, signal dog, or other animal trained to work for an individual with a disability. No other animals will be permitted, including emotional support animals.

LRGVDC - Valley Metro will allow any reasonable breathing aid, including portable oxygen tanks (if in use by the passenger) and respirators, on its vehicles. [49 CFR 37.167(h)]

### **MAINTENANCE OF ACCESSIBLE FEATURES**

LRGVDC - Valley Metro - will maintain in operative condition those features - including lifts, securement devices, signage, etc. - of facilities and vehicles that are required to make the vehicles and facilities readily accessible to and usable by individuals with disabilities. [49 CFR 37.161(a)]

If an accessibility feature is damaged or out of order, it will be repaired promptly. [49 CFR 37.161 (b)] If the repair causes more than a temporary or isolated interruption, patrons who require use of those features while the feature is not usable will be reasonably accommodated by Valley Metro. [49 CFR 37.161(c)]

### **DESIGNATED SEATING**

Space at the front of each fixed route bus is reserved as priority seating for the elderly and disabled. Valley Metro will ask persons who are not disabled or elderly to move from these seats when they are needed by disabled or elderly patrons. [49 CFR 37.167(1) (i)]

There is a space on each fixed route bus designated for wheelchairs. Valley Metro will

ask persons not in wheelchairs to move from the fold-down seats in this area when the area is needed by a wheelchair user. [49 CFR 137.167(1) (1)]

Valley Metro will not require an individual with a disability to use designated priority seats, if the individual does not choose to use these seats. [49 CFR 37.59(c)]

## **STOP ANNOUNCEMENTS**

Valley Metro will announce all stops on its fixed route system at transfer points, minor intersections, major destination points, and at other intervals sufficient to permit individuals with visual impairments or other disabilities to be oriented to their location. [49 CFR 37.167(b) (1)]

At stops where more than one route operates, Valley Metro vehicles and/or drivers will announce the name of the route and route number so that patrons who have visual

Impairments or other disabilities may identify the proper vehicle to enter. [49 CFR 37.167(c)]

## **DISORDERLY OR ABUSIVE PASSENGERS**

This policy governs the procedures for dealing with unruly passengers affecting the safe operation of LRGVDC vehicles.

Passengers governed by this policy are those who affect the safe operation of a LRGVDC vehicle, engage in violent, seriously disruptive, or illegal conduct while being transported on a LRGVDC vehicle. Passengers violating the safe operation of a LRGVDC vehicle may be denied passage, requested to leave the vehicle, banned from further passage, or as a last resort arrested and charged. The following behaviors are covered by this policy:

Intoxicated, disorderly, disturbing other passengers or the operator, creating a safety hazard, yelling, cursing, making obscene gestures, slapping or hitting fellow passengers or the operator, engaging in arguments with the operator or other passengers, or otherwise creating a disruption, which could affect the safe operation of the vehicle.

Note: Conduct which is related to a person's disability and which annoys or offends [is not to be considered "seriously disruptive." Similarly, service cannot be refused based on an unfounded fear of a particular disability.

Steps to be taken by bus operators and/or LRGVDC – Valley Metro personnel when dealing with disorderly or abusive passengers are as follows:

- Remain calm and professional in manner.
- Stop the vehicle in a safe area and request that the passengers cease and desist.
- Inform the Dispatch office of the specific passenger and/or problem and the location.
- Inform the passenger that his or her behavior could result in loss of service.
- If the behavior continues, the passenger will be requested to leave the vehicle. The operator will remain in the location until the Supervisor and Police arrive.
- The passengers will be informed of the consequences stated below.
- If behavior continues the passenger will be ineligible to use services unless accompanied by an aide. If the aide is unable to control the behavior, the passenger may be ruled ineligible to use service in the future.

The bus operator is required to complete a detailed incident report as soon as possible after the incident.

Patrons who engage in violent, seriously disruptive or illegal behavior will be subject to the following disciplinary policy within a year of the first occurrence. [49 CFR 37.125(h) & 37.125(h)]

Occurrences	Valley Metro Action	Days of suspension
First occurrence	Written Warning	0 days
Second occurrence	Letter of suspension	7 days
Third occurrence	Letter of suspension	14 days
Subsequent occurrences	Letter of suspension	30 days

All disciplinary actions will take mitigating factors, such as the weather, vehicle problems, and other circumstances, into account.

If the individual chooses to appeal the disciplinary action, that action will stay pending the outcome of the appeal. [49 CFR 37.125(h) (3)]

## **Disciplinary Actions Appeals Process**

1. Any person who has been disciplined by LRGVDC - Valley Metro may appeal the disciplinary action which we recommend that the appeal be submitted in writing within 60 days. [49 CFR 37.125(h)(3)]:
2. If an individual with a disability is denied service, the individual will have the opportunity to appeal the service suspension and present information demonstrating that previous issues have been resolved or present options to mitigate problems, so their service can be reinstated. [FTA C4710.1, pg2-6]

### **ADA Bus Service Disciplinary Action Appeal LRGVDC – Valley Metro**

510 S Pleasantview Dr.  
Weslaco, TX 78596  
956.969.5761 (phone)  
956.969.8176 (fax)

3. The time limit for appeals will be based on the date of receipt of the letter stating the disciplinary action.
4. Immediately upon receipt of an appeal, LRGVDC - Valley Metro - will set a date for the hearing of the appeal.
5. The date for the hearing of the appeal will be as soon as possible after the receipt date of the letter requesting the appeal.
6. Upon request, LRGVDC - Valley Metro - will provide appellant transportation to and from the hearing.
7. LRGVDC - Valley Metro - will offer the individual who was disciplined every opportunity to present his/her case and receive and enter into the record every relevant piece of evidence and/or testimony from any person who can support him/her.
8. Appeals will be heard by the persons designated by the TAC and one (1) LRGVDC -Valley Metro staff member. This group will not include any person involved in handing down the disciplinary action.
9. In all cases, determinations will be made in writing and full documentation will be retained.
10. LRGVDC - Valley Metro will make a final determination on the appeal as soon as possible after the appeals hearing.

## **OTHER CONSIDERATIONS**

Each LRGVDC – Valley Metro vehicle shall contain sign(s), which indicate the seats in the front of the vehicle are priority seats for persons with disabilities, and that other passengers should make such seats available to these who wish to use them. At least one set of forward-facing seats shall be designated.

- Smoking of any kind of cigarette, cigar, vapes, or pipes is prohibited.
- Consumption of any kind of beverage (especially alcoholics) is prohibited.
- Consumption of any kind of food is prohibited.
- Ridding as a passenger while possessing or being under the influence of alcohol or illegal drugs is not permitted and transportation will be denied.
- Littering in vehicles is prohibited.
- Radios, cassette tape players, compact disc players or other sound – generating equipment are not to play aloud while aboard the vehicle. Riders must use earphones or headphones.
- Riders should use seat belts while riding in the vehicle.
- LRGVDC – Valley Metro or any of its bus operators do not assume responsibility for lost or stolen articles.
- Bus operators are not allowed to:
  - ❖ Enter rider residence.
  - ❖ Perform any personal care assistance for riders, including assisting riders to dress.
  - ❖ Lift or carry riders.
  - ❖ Maneuver riders or wheelchairs up or down steps
  - ❖ Accept tips or gratuities.
  - ❖ Refuse to serve an individual with a disability because of the entity's insurance company increases rate or denies insurance coverage because of passengers with disabilities

## **ARTICLES PERMITTED ON LRGVDC VEHICLES**

- Hand baggage, packages or articles which can be carried by passenger or towed under the seats
- Carriages and strollers must be folded.

- Walkers are permitted but must be folded.
- Car seats
- Carts
- Service animals

## **ARTICLES NOT PERMITTED ON LRGVDC VEHICLES**

- Bicycles
- Fishing poles
- Sharp objects or instruments
- Gasoline or other hazardous materials
- Explosives
- Firearms
- Furniture of any kind
- Car batteries
- Oxidizers
- Poisons
- Radioactive
- ORM (other regulated material-domestic)

In addition, anything which will cause obstruction of the aisles, potentially harm or injure those on board will be prohibited. The eligibility of articles not specifically identified with regards to transportation will be determined at the discretion of the LRGVDC – Valley Metro supervisory personnel.

## **SEATBELT POLICY**

LRGVDC- Valley requests that all passengers wear a seatbelt while riding any LRGVDC Transit vehicle, when available.

This policy affects both ambulatory passengers and people in wheelchairs. Persons seated in the perimeter seating areas must wear a seatbelt when the bus is in motion. Persons in wheelchairs must allow the driver to secure their wheelchair and must wear a lap or shoulder belt.

There are three exceptions to this policy. The first exception includes infants or small children. If a person boards a bus carrying an infant or small child, they may hold the infant or small child in their lap while they are on the bus. The second exception would apply to a person that has a letter from a doctor stating it is physically or medically detrimental for a

person to wear a seatbelt. The letter must state a beginning date and an end date. The third exception to this is when there is no seating room available, which in this case the passenger must have a secure hand on the guardrail and be standing behind the white line.

If a person boards the bus and refuses to wear their seatbelt; refuses to allow the driver to secure their wheelchair; or refuses to wear the lap and shoulder belt while secured in the wheelchair securement area, the passenger must sign a "release form," releasing all liability from the LRGVDC – Valley Metro in the case of an accident. As the passenger formally acknowledges their lack of adequate safety measures, the passenger is solely responsible for his/her safety. (See attachment).

LRGVDC - VALLEY METRO will not deny transportation if we cannot safely secure or restrain the mobility device to our satisfaction. In such instances, it is strongly recommended that the rider transfer to a seat whenever possible. It is the rider's choice to transfer or remain in the mobility device.

LRGVDC - VALLEY METRO recommends, but does not require, that wheelchairs be equipped with a personal lap belt in order to prevent passengers from falling out of the wheelchair during transport. It is also recommended, but not required, that a manual wheelchair have attached footrests.

For your safety, please be sure that your wheelchair or other mobility device is properly maintained in accordance with the manufacturer's specifications.

## **WEATHER**

### **Discontinuing Service Due to Weather Conditions:**

Transit Bus operators will make every effort to provide service whenever scheduled. In the event extreme weather conditions exist which make travel unsafe, the Executive Director reserves the right to discontinue services until conditions are more favorable. If service is temporarily discontinued, employees are to report to work unless otherwise instructed by supervisor. The dispatch office shall attempt to contact any scheduled passengers at the telephone numbers listed in the agency customer database.

### **Severe Weather Condition Riding Tips:**

- Keep current on weather conditions, which may affect LRGVDC – Valley Metro services
- If the streets are icy or flooded, allow additional travel time.
- Avoid delays by being on time and having the correct fare ready.



- Clean footwear of mud and slush before boarding so it does not gather on the steps and floor of the bus, causing danger to others.
- Wait until the bus comes to a complete stop before leaving your seat and before boarding.
- At all times, watch your step, wear your seatbelt, and wear appropriate winter clothing.

### **Severe Weather Passenger Guide**

Severe rainstorms, thunderstorms, and icy roads can affect LRGVDC – Valley Metro service. The following may occur any time, hazardous road conditions exist:

- Travel time may increase.
- Bus service on less traveled streets, especially those not sanded or that is flooded, may be cancelled.
- If passengers are not able to get to vehicle prior to severe weather arriving, passengers will be asked to remain in facility until severe weather has passed.
- If a vehicle is caught in severe weather, then the Vehicle Operator will make every attempt to get to the nearest safe area and have passengers exit the vehicle until severe weather has passed.

### **COMPLAINTS & COMMENDATIONS & REASONABLE MODIFICATION REQUEST**

LRGVDC – Valley Metro will accept complaints, commendations, reasonable modification request and suggestions about its ADA Program in person, by mail, telephone or e-mail. LRGVDC – Valley Metro Program Specialist will be responsible for dealing with complaints, commendations, and reasonable modification requests. Suggestions may be given to any member of the LRGVDC – Valley Metro staff.

To ensure compliance with the Americans with Disabilities Act (ADA) and to promote accessibility and accountability, Valley Metro is now implementing the following written complaint process:

#### **How to File a Complaint:**

Individuals who believe they have been subjected to discrimination on the basis of disability in the provision of services, activities, or programs may file a written complaint with Valley Metro. Complaints should include the name, address, and phone number of the complainant, as well as a detailed description of the alleged discrimination.

## **Complaint Submission:**

Complaints can be submitted by mail, email, or in person to:

### **ADA Coordinator**

Program Specialist II

510 S Pleasantview Dr. Weslaco, TX 78596

956.682.3481 ext. 309

[dcruz@lrgvdc.org](mailto:dcruz@lrgvdc.org)

## **Review Timeline:**

Complaints will be acknowledged in writing within 5 business days and reviewed promptly. A written response will be provided within 30 calendar days of receipt. If a delay occurs, the complainant will be notified with an explanation and a revised timeline.

## **Appeals:**

If the complainant is not satisfied with the resolution, an appeal may be submitted in writing within 15 days of the decision. The appeal will be reviewed by the Director of Regional Transit Services, and a final written decision will be issued within 30 days of the appeal.

All complaints, commendations, reasonable modification requests, and suggestions should be accompanied with the following information:

- a. Name, address and phone number (or person may remain anonymous),
- b. The date and time of the incident,
- c. Vehicle number (if applicable) and the dispatcher or driver name,
- d. Description of the complaint, commendation, or suggestion.
- e. For phone calls or in person visits, Valley Metro - will take down as much information as possible and prepare a statement. Prior to taking action on an alleged serious infraction, the patron will be required to sign the statement and be willing to testify, if necessary, against the individual who allegedly committed the infraction.
- f. LRGVDC - Valley Metro does respond to a rider's need for reasonable modification even if the rider did not specifically use the term "reasonable modification" in their request for service. [49 CFR 37.169(b)(2)]
- g. LRGVDC - Valley Metro operating personnel can make reasonable modification determinations at the time of request. [49 CFR 37.169(b)(4)]
- h. LRGVDC - Valley Metro will deny any reasonable modification request if it is determined that granting the request will: [49 CFR 37.169(c)]
  1. Fundamentally alter the nature of the LRGVDC - Valley Metro's transit service
  2. Create a direct threat to the health or safety of others
  3. Create an undue financial or administrative burden for LRGVDC - Valley Metro
  4. Services or programs can be used without the request for modification

- i. LRGVDC - Valley Metro staff will not be allowed to learn the identity of any person giving a complaint.
- j. Patrons will not be allowed to learn what actions, if any, are taken against LRGVDC - Valley Metro employees as a result of a commendation or complaint.
- k. Should a request be denied, LRGVDC - Valley Metro will to the maximum extent possible, take any other actions to ensure that the individual with a disability receives the services. [49 CFR 37.169(e)]

LRGVDC - Valley Metro will keep a log of all complaints of noncompliance with the federal ADA regulations it receives on file for at least five (5) years. [49 CFR 27.121(b)]

## **TRAINING**

LRGVDC- Valley Metro will ensure that personnel are trained to proficiency, as appropriate to their duties, so that they operate vehicles and equipment safely and properly and that individuals with disabilities who use the service in a respectful and courteous way with appropriate attention to the difference among individuals with disabilities.

All LRGVDC - Valley Metro vehicle operators and dispatchers will be trained by the Operations Supervisor or designee in at least the following [49 CFR 37.173]:

- a. Operation of wheelchair lifts, ramps, and securement devices,
- b. Loading and unloading passengers using mobility assistance devices,
- c. Passenger assistance training, including passenger courtesy and understanding of physical and attitudinal barriers,
- e. Defensive driving.

### **Drivers will be required to perform the following duties:**

- a. Assist in the securement of wheelchairs, even if this assistance also requires them to leave their seats,
- b. Driving to the curb of the pick-up location
- c. Giving assistance in boarding and exiting
- e. Driving to the curb of the destination point.

### **Drivers will be prohibited from:**

- a. Giving medication,
- b. Operating oxygen or other life-assistance machines,
- c. Moving wheelchairs to and from the vehicle, or helping passengers to the vehicles, beyond 10 feet from the edge of the curb.
- d. Feeding or dressing passengers,
- e. Handling complaints,

- f. Scheduling reservations
- g. Carrying or handling packages.

## **SAFETY**

To ensure the safety of all passengers, the following guidelines will be followed at all times:

- a. Patrons will be encouraged to wear seat belts,
- b. Patrons will be prohibited from playing with their restraints,
- c. All wheelchairs will be required to be at designated locations on the vehicle, and the use of a securement system to secure wheelchair [49 CFR 38.23(d)]
- d. Patrons will be prohibited from engaging the operator in conversation (small talk).

LRGVDC - Valley Metro will refuse service to any individual who engages in violent, seriously disruptive, or illegal conduct. This does not include cases where the individual's appearance or involuntary behavior offends, annoys, or inconveniences others. [49 CFR 37.5(h)]

LRGVDC - Valley Metro may require the use of a personal attendant if the attendant mitigates illegal, violent, or disruptive conduct.

## **COMMUNICATION AND PUBLIC INFORMATION**

The LRGVDC – Valley Metro will make available to individuals with disabilities adequate information concerning the transportation service it provides. Adequate telephone capacity, both voice and Telephone Communication Device (TDD –Relay Texas) must be provided to enable users to schedule service and obtain information. All materials made available to persons with disabilities such as information brochures, application forms, rider handbooks, etc. will be available in accessible formats such as large print, tape, and Braille. Accessible information must be provided upon request.

# Thank you for utilizing Public Transportation.

Operated by  
LRGVDC – Valley Metro  
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Weslaco, TX 78596  
1-800-574-8322  
[www.lrgvdc.org/valleymetro](http://www.lrgvdc.org/valleymetro)