



# **MONTEREY-SALINAS TRANSIT ADA PARATRANSIT PROGRAM REVIEW**

## **Final Report**

**November 2011**





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## **INTRODUCTION AND PROJECT METHODOLOGY**

Monterey-Salinas Transit (MST) is seeking ways to implement program changes to MST RIDES, the agency's ADA complementary paratransit program that will result in greater efficiencies, while remaining fully compliant with the ADA regulations. Nelson\Nygaard was hired to conduct an expedited review of the program during the summer of 2011, and to make recommendations to meet these program goals.

The Nelson\Nygaard team reviewed an array of documents pertaining to the scope and operations of the paratransit program. These included the following:

- Informational brochures
- Monthly operations reports
- Eligibility outcomes
- Data analyses conducted by MST staff
- Previous studies

In addition, team members interviewed MST and MV Transportation management and staff, and observed in-person eligibility assessments and MV call-taking operations.

## **EXISTING CONDITIONS**

The population of Monterey County is 415,000, of which 10.7% are 65 and over. This is slightly below the statewide average (11.4%). The portion of the population that is low income (households earning under \$25,000) is almost the same as the statewide average of 20%, despite the fact that the County's median income is significantly higher (\$78,000 versus \$60,000). Significantly, nearly half the county's population (43%) speaks Spanish at home. In summary, MST RIDES operates in an environment where there is not a relatively high aging population, but there is a significant low-income, Spanish-speaking population. In addition, the distribution of the population has consequences for the program. While 80% of the riders reside in the six largest cities in the County, in 2010 trips were provided to residents of nearly 100 jurisdictions, the majority of which were small villages within the County. These figures describe the importance of MST RIDES as a lifeline to residents with disabilities in rural communities, and indicate the challenges of serving geographically disperse communities.

MST RIDES is operated by MV Transportation ("MV") under contract to MST. In addition to paratransit, MV also operates small bus, dial-a-ride, fixed route and trolleys for MST, which cumulatively represents about one-third of MST service. MV also operates non-emergency medical transportation and AMTRAK shuttles from Salinas to Monterey. MV used to operate dialysis under a Medi-Cal contract before the operation was terminated.

MV has been the paratransit operator for approximately seven years and the company recently signed the second two-year add-on to the existing contract. Following the expiration of this addition, the agency will issue a new request for proposals to provide MST RIDES service.

## MST RIDES PARATRANSIT OPERATIONS AND SERVICE PARAMETERS

### Staffing

MV office staff consists of a general manager, one reservationist, four dispatchers, an operations manager, a safety supervisor, and three road supervisors. The adequacy of staffing the reservations function is discussed later in this document.

### Fleet

The vehicle fleet consists of 30 vehicles, of which 27 are cut-aways, and three are minivans. The orientation towards larger vehicles is due to the belief that they are more comfortable for the riders, and their operation results in fewer driver injuries. MV believes that there is not a significant mismatch between vehicle availability during time slots throughout the day, and the demand for trips during those slots.

### Technology

MV uses Trapeze scheduling software and the Mentor SCS system. MST management is able to continually monitor system performance throughout the day through the use of the Spyder system. MST is contemplating the introduction of Interactive Voice Recognition (IVR) which will be added to Trapeze/Mentor for automatic calls when the vehicle is late and for reminder calls the day before the trip. In addition, the IVR function will allow for alerts to registrants whose eligibility is about to expire. Under the current configuration, Trapeze does not offer a fixed-route alternative to paratransit trip requests, so this only occurs if the call taker is aware of fixed-route options.

### Service Complaints

MST management investigates all customer complaints, which are recorded in a customer service database. These investigations are enhanced by the information available through the recordings of all phone calls at MV and the presence of cameras in all vehicles.

The following information about MST RIDES provides necessary context for the analysis that follows.

### Service Area

MST RIDES serves the same 280 square-mile geographic area as the fixed-route system, within  $\frac{3}{4}$  of a mile of fixed route transit corridors per the ADA requirement (with a slightly wider corridor in South County). However, MST has received a waiver from the FTA that allows them not to operate paratransit service in very remote areas in the south part of the county that are served by fixed route service, namely Fort Liggett, Fort Hunter and Big Sur. In addition, MST RIDES provides County-funded Special Transportation service outside the ADA mandated territory, including the area around Prunedale and south of Salinas. This service accounts for about two percent of all paratransit rides and customers pay an extra \$2 for this service. MST RIDES also provides out-of-county medical trips twice monthly to facilities in Santa Clara County and San Francisco.

“On-Call”, or dial-a-ride service, has replaced fixed route in places where there was very low ridership, primarily in the southern part of the county. This dial-a-ride service only operates within the cities of Gonzales, King City and Soledad, for eight hours per day and is free to MST ADA Paratransit riders (except in Soledad, where the service is not operated by MV and riders pay a fare). In these locations, the service is coordinated with ADA paratransit, and the same accessible vehicles can be used for both types of trips. MV operates King City and Gonzales services under contract to MST. However, the Soledad service is operated by the city.

## **Fares**

Fare for a one-way MST RIDES trip are as follows:

2.7 miles or less	\$2.00
More than 2.7 and less than 19.7 miles	\$4.00
More than 19.7 miles	\$6.00
Sundays and Holidays	All RIDES ADA fares are discounted by 50%.

RIDES ticket books are sold in books of 30 \$1.00 tickets. Since the standard fares for MST fixed-route service range from \$1 for local routes to \$10 for commuter routes, MST RIDES fares are compliant with the ADA requirements. MST allows RIDES cardholders to ride free on the fixed-route transit system and demand-response buses. While many U.S. systems provide a similar service, a key factor in the success of these programs in terms of diverting costly potential paratransit trips to fixed-route is the presence of an accurate eligibility process. MST RIDES implemented in-person assessments in October 2010. Due to this change, potential applications from individuals who are just seeking free fixed-route fares have probably been minimized, even as the number of total applications has been increasing, so this is a positive program for MST. A full examination of the cost-benefits would require an analysis of the number of rides provided to paratransit eligible riders, and a survey of a sample of these riders to determine if an equivalent trip would have been taken on paratransit. Current available data does not allow for such an analysis.

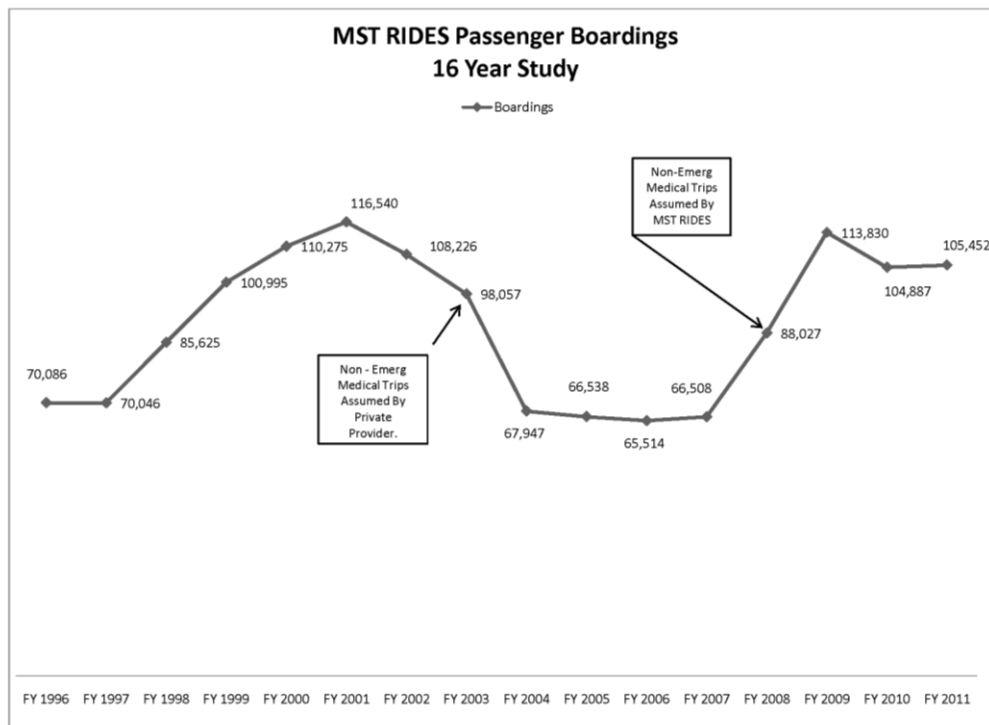
## MST RIDES PERFORMANCE TRENDS

### Ridership

MST RIDES ridership has fluctuated substantially during the past sixteen years. As indicated in the figure below, ridership increased dramatically in the late 1990's, from the 70,000 per year mark to over 116,000 in FY2001, only to decline to the low 65,000 per year mark around 2004-2007 as non-emergency medical trips were taken over by a private provider. When MST RIDES resumed responsibility for these trips in FY2008, ridership rose sharply and has been fairly level in the past three years in the range of 105,000 to 114,000 one-way trips per year. Ridership growth has been contained by the introduction of free fixed-route fares for RIDES registrants, and possibly by the downturn in the economy. The implementation of in-person assessments may have an impact on these ridership trends, but it is still too soon to determine the effects of this policy change.

These trends may be compared to ridership trends in Bay Area paratransit programs. In a parallel study that is being conducted for the MTC, it has been determined that, in contrast to large operations where ridership has tapered off in the past decade, ridership in small to medium size operations (80,000 to 180,000 annual trips), has increased slowly but steadily.

**Figure 1 MST RIDES Passenger Boarding's, FY1996 to FY2011**





## Operating Costs

The FY2012 budget for the MST RIDES contract is \$2,382,952. This does not include costs borne by the agency such as fuel and administrative overhead. The annual contract budget is based on a cost per vehicle revenue hour of \$42.98. The hourly cost was reduced in the two year contract extension with MV because fuel costs became the responsibility of MST, rather than the contractor. Prior to the contract extension, hourly operating costs were more in the low \$50/hour range, based on a cost per trip of approximately \$28. These costs compare favorably with peer systems in the Bay Area, which range from \$25 to \$35 per trip, although caution when making comparisons is always required because of the different ways in which these numbers can be calculated.

MST has calculated that the MST RIDES program represents 13% of the total cost of the agency's budget (while accounting for only 2% of the trips). As indicated in the figure below, this percentage is comparable to a sample of transit agencies with comparable size paratransit programs, with MST's proportion falling roughly in the middle of the sample.

**Figure 2 Paratransit Operating Budget as a Percentage of Total Agency Operating Budget**

Agency	Demand Response Unlinked Passenger Trips	Demand Response Operating Expenditures	Total Agency Operating Expenditures	Demand Response Percent of Total Operating Expenditures
Monterey Salinas Transit*	113,829	\$2,303,660	\$26,254,093	9%
Golden Empire Transit	63,820	\$1,175,466	\$21,022,847	6%
Modesto Area Express	111,945	\$1,790,329	\$12,432,471	14%
San Joaquin Regional Transit District	79,010	\$3,620,130	\$32,340,797	11%
The Eastern Contra Costa Transit Authority (Tri Delta Transit)	122,643	\$3,150,735	\$18,650,257	17%
Everett Transit	108,952	\$3,772,835	\$17,113,661	22%
Arlington Transit	108,291	\$333,216	\$8,006,143	4%

\*Note: As indicated in the text above the table, the proportion for MST has increased to about 13% since these data were compiled in 2008

Source: 2009 National Transit Database Data

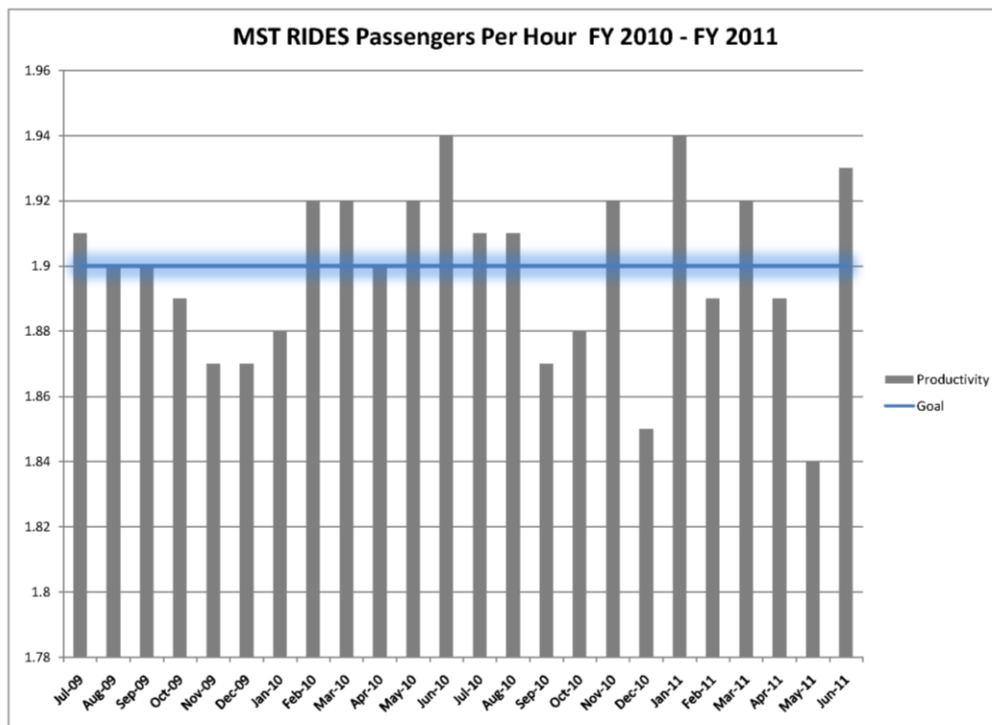


## Productivity

Productivity – as measured in passengers per hour – fluctuated between 1.84 and 1.94 during FY2009/10 and FY2010/11, as indicated in the figure below. These are very minor fluctuations, possibly due to the implementation of liquidated damages for months in which the productivity falls below 1.9. The rates compare favorably with productivity trends at peer systems in the Bay Area, where productivity ranged between 1.9 and 2.1 in a similar period at County Connection (Contra Costa County), Golden Gate Transit, and East Contra Costa County (Tri-Delta).

At the onset of the contract in 2004, MV had a productivity requirement of 2.1 passengers per hour. In October 2005 the productivity standard was renegotiated to 1.9 passengers per hour as MST recognized that the bar had been set “too high” given the geography, population densities, and time distance factors of our service area. As much of Monterey County remains rural, a 2.1 productivity standard was found not to be sustainable. Depending on the types of trips that will be diverted to taxi service (under the new agreement, to be discussed later in this document), productivity levels may be affected in the coming year.

**Figure 3 MST RIDES Passengers per Hour FY2010 – FY2011**



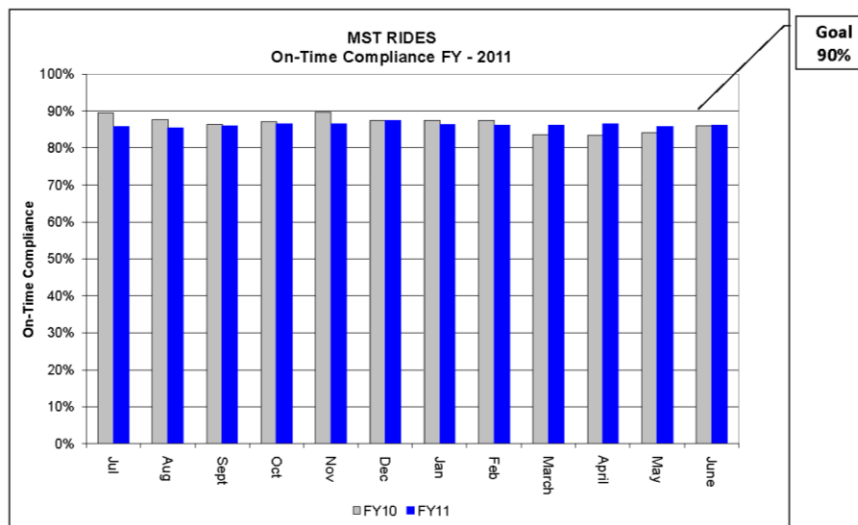
Source: Monterey Salinas Transit

## On-Time-Performance

The RIDES program has a thirty minute pick up window – that is to say that should the program vehicle arrive within 15 minutes either before or after the scheduled pick up time the trip is considered to be on time. This is the most common standard currently in use in the industry. Obtaining accurate on-time performance statistics can be challenging, given the dependence on driver actions for recording vehicle arrivals and departures in a number of on-time performance methodologies. However, the approach used by MV appears to provide a relatively accurate measure of on-time performance, which is reported via the Mentor GPS system via interface to the Trapeze Pass scheduling system. As the Mentor system is GPS based, the system prevents the driver from reporting that they have arrived at a pick up location unless the vehicle is within a predetermined distance from that location. This ensures that the information is being reported accurately, and prevents the driver from prematurely reporting their arrivals.

As indicated in the figure below, the on-time performance in FY2010 and FY2011 was approximately 86% of trips, with very minor fluctuations. While this number is slightly lower than that found in other paratransit programs, it may well be due to the greater accuracy of the reporting methodology used in Monterey.

**Figure 4 MST RIDES On-Time Performance FY2010-2011**



Source: Monterey Salinas Transit

## EXAMINATION OF PARATRANSIT ISSUES AND TRENDS

### Subscription Service/Dialysis Trips

Based on discussions with MV staff, schedulers have been instructed to limit the number of individuals who are granted subscription service in order to ensure that the number of trips taken by subscription riders does not exceed 50% of total trips. However, this appears to be a misreading of the ADA requirements, which explicitly state that this requirement only pertains to systems where non-subscription riders are being denied trips. Given that trip records indicate that an inconsequential number of trips are denied each month (less than five), **the subscription trip limit does not apply to MST RIDES.**

The limitation placed on granting subscription service has significant implications for MST RIDE operations, particularly with regard to the burden placed on the reservation function. A substantial number of riders whose trips patterns indicate a subscription designation are required to call in every two weeks to reserve their trips, even though these trips are duplicated exactly during every two week period. In some instances, medical facilities (including a dialysis clinic) are allowed to fax this information to the call taker every two weeks so that she can enter the data during breaks in reservation activity. This results in significant inconvenience to the riders, and also an unnecessary duplication of effort on the part of the reservation staff.

In order to measure the impact of this practice, the team worked with MV staff to analyze the trip patterns of regular users of the MST RIDES program during FY 2010. These were defined as riders who took at least 64 one-way trips during the year. MV's call taker assigned the following designations to each of these regular riders:

- S-D for subscription dialysis riders
- Q for quasi subscription riders (these are individuals whose trip patterns would merit subscription classification, but have not been granted subscription service because of the limitation placed on this designation)
- S for non-dialysis subscription riders
- Unassigned for those individuals who take a lot of trips, but do not fall into the kind of regular trip pattern that would warrant a subscription designation (e.g. three days a week to the same destination).

The table below provides a breakdown of the trips taken by these different groupings:

**Figure 5. Analysis of MST RIDES Subscription Trips (FY2010)**

	# Frequent Riders*	% of Frequent Riders	# Trips taken (FY2010)	% of total trips taken
Dialysis	133	45%	21,219	19%
"Quasi-Subscription"	81	27%	11,575	10%
Subscription	30	10%	5,186	5%
Frequent but not subscription	51	17%	5,051	5%
Infrequent riders (under 64/annum)			67,589	61%
<b>Total MST RIDES Trips</b>			<b>110,620</b>	<b>100%</b>

Note: For the purpose of this analysis, "Frequent" is defined as 64 or more trips taken in FY2010

Source: MV Transportation

Our analysis indicates that the total trips taken by all subscription and quasi subscription riders would only constitute 35% of all trips taken. However, this proportion may exceed 50% at certain times of the day. Even if the 50% subscription limit did apply, there is ample room for expansion of these designations. It is possible that increasing the number of "official" subscriptions could lead to an increase in requests for this designation, since the current practice is inconvenient not only for MV staff but also for the rider. It could also induce increased demand. However, since the provision of subscription service is not required under the ADA, if at some point the benefits to staff are outweighed by the induced demand, MST can decide to limit the subscription designations at that time.

## Dialysis

MV management has identified trips to dialysis as the biggest challenge due to the unpredictability of timing, particularly with the smaller clinics. MV has actually negotiated times with the biggest clinics and has met with the clinics to improve service delivery practices. Since a number of the dialysis clinics are either at or approaching capacity, some patients are having to travel further distances to get to a clinic with open slots. This results in MV having to transport some passenger from Salinas to King City. The staff perception is that dialysis trips form the majority of trip types, in addition to a significant percentage of trips to the VNA.

The analysis of the trip data has allowed the team to evaluate the issue of dialysis trips. Examination of the trip volumes suggests that the proportion of trips assigned to dialysis appointments is close to 20-25% of the total (assuming some of the "quasi-subscription" trips may be for dialysis). When combined with VNA trips, this proportion increases considerably at certain times of the day. This is likely higher than most paratransit programs. Reliable data on the proportion of ADA paratransit trips assigned for dialysis trips is not available, but anecdotal information available to the consulting team suggests that dialysis trips are usually in the 5% to 10% range at most paratransit operators.

These numbers suggest that this is a substantial issue that will need to be addressed, particularly as the trend is towards increasing need for dialysis trips and transportation of some clients to distant clinics. Additional coordination with dialysis clinics may be necessary to shift patients and /or coordinate schedules, as addressed in the recommendations at the end of this report.

## **Reservations Capacity**

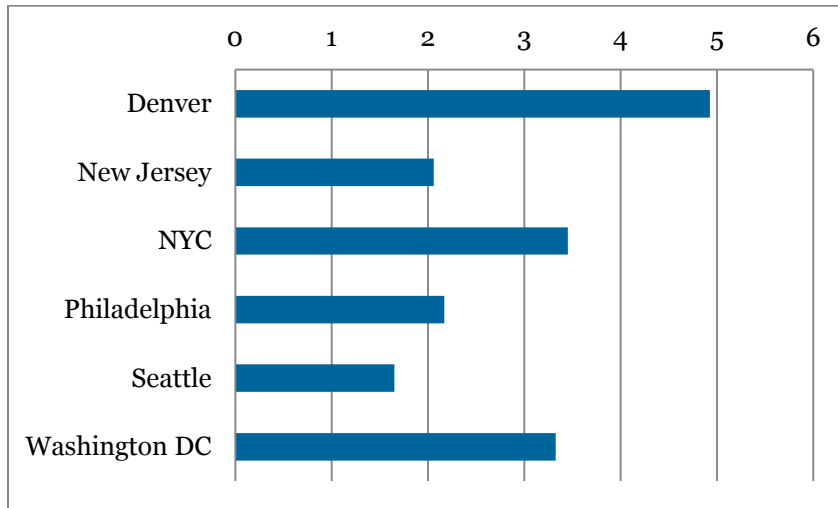
The majority of trip requests (estimated at 70%) are scheduled during the initial call. However, some individuals reach the voice mail message and are called back the same day. Apart from the reservationist, the staff is almost fully bilingual, thus being well-equipped to handle the calls from the over 40% of riders who are Spanish-speaking.

Currently most of the trip requests are fielded by one individual, the designated reservationist, unless the caller is unable to speak English or if the reservationist is on break. Apparently even when individuals reach another staff person, such as one of the dispatchers, they sometimes are willing to wait for the reservationist to get off the phone so that they can make their reservations through her. The reservationist's phone has four lines, and it is not unusual at certain times of the day for all four of them to be lit up with incoming calls. Currently it is impossible to determine telephone wait times or call backs because this is not being monitored. While there are no universally established standards for wait times, a survey that was conducted for the Massachusetts Bay Transportation Authority found that systems reported initial phone wait time requirements ranged from 98% less than 20 seconds (New York City) to 90% within 3 minutes, 100% within 5 minutes (Atlanta).

While the value of the reservationist's role is not in question, it seems that concentration of the call taking function primarily with one person is likely resulting in long telephone wait times, frequent call backs, and significant stress.

In order to determine the adequacy of reservationist capacity compared to other systems, the consulting team compared the staffing capacity at a number of large systems. The data for these systems was presented as staffing per 100,000 trips, which is roughly the size of the MST RIDES program. Additional research provided data at more comparably sized systems to the RIDES program, which is discussed on the next page. The figure below shows the ratios for the large systems:

**Figure 6 Reservations Staff per 100,000 Trips**



By comparison, MST RIDES only has one person exclusively taking trip reservations. Even when taking into account the availability of other staff to handle trip reservations, MV's total staffing is less than 5 FTE's, as some of the four dispatchers who take calls are also responsible for non-MST RIDES functions. In the six systems in the sample, the number of people responsible for the reservations, scheduling and dispatching functions is in the range of 5 to 9.6 FTE's per 100,000 trips, with an average of 8.1.

In order to determine if these numbers are at all biased in favor of large systems, the team contacted an additional five California systems that are either comparable or smaller in size than MST RIDES: San Joaquin RTD; Union City Paratransit; Contra Costa County Transportation Authority (County Connection); Santa Cruz ParaCruz; and North San Diego County (NCTD). Union City is only one-fifth the size of RIDES, yet has 1.3 FTE's assigned to the reservations function. The other four all provide between 80,000 and 110,000 annual trips, and each one has substantially more staffing committed to the reservationist function than RIDES, including three FTE's in San Joaquin (prior to the American Logistics contract), five at NCTD, five at County Connection, and five in Santa Cruz. All of these systems also have additional staff assigned to the dispatching function. These numbers reinforce the findings from the large systems. In fact they suggest that the number of reservationists per 100,000 trips tends to be higher at smaller systems. Based on our observations and these data, we believe that MV's operations appear to be understaffed in this area.

## No-Shows

The industry rate for no-shows and late cancellations is approximately 3% and 4% of scheduled trips respectively (although late cancellations are defined differently in the sample of systems described above). Our analysis of FY2010 MST RIDES data indicates the following:

- Six percent of requested trips resulted in no-shows, and an additional 4% were late cancellations – thus no-shows appear to be more of a problem than late cancellations, when compared to other programs
- One in five riders no-showed more than 10% of their trips

- Thirteen riders no-showed more than 30 times during the year – these were all heavy users, but when considering cancels and late cancels, most of these individuals only took two-thirds of the trips they requested
- The monthly average of no-shows from January to July 2011 was 511, which is slightly lower than the FY2010 monthly average of 631

These figures suggest that, while the no-show rate is not exceptionally high at MST RIDES, it is sufficiently above industry standards that steps should be taken to address this issue. The data suggests that just a handful of people, the thirteen referred to above, out of over 1,100 riders, account for 15% of all no-shows in the system.

The current contract with MV indicates that MV is responsible for maintaining a no-show rate below 3% (Item 3.6.4), and MV has been directed to enforce the no-show policy. MST should consider revising the existing no-show policy, which is based on an absolute number of no-shows within a 30 day period, rather than the proportion of trips that individuals no-show. Once the policy has been revised, MST should more closely monitor MV's efforts to enforce the policy. Most systems have found that with limited effort no-show rates can be steadily reduced as the most egregious offenders better understand the impact of their riding practices on other riders. The recently released Topic Guide on No-Shows (<http://dredf.org/ADAtg/index.shtml>) can provide valuable information on how to implement this policy. However, if MST does acquire the IVR technology, it may be prudent to monitor no-show rates after implementation to see if these decline to an acceptable level without the need for enforcing this policy.

## **Advance Reservation Times**

While MST RIDES' policy of allowing individuals to call up to 14 days in advance of the desired trip is certainly ADA compliant, it is increasingly being considered poor practice to allow such long lead times, due to the incidence of late cancellations and no-shows. In a zero denial context like MST RIDES, where riders have confidence that they can make plans weeks in advance on the assumption that they will be able to reserve a paratransit ride a few days before the event, it is preferable to shorten the advance reservation period.

A recent survey of eight Bay Area systems indicated that all of them have reduced their response times from 14 days to either seven, three or two days (Sonoma County, San Francisco MTA, SamTrans, Golden Gate Transit all use 7 days, and East Bay Paratransit, ECCTA, Santa Clara VTA use 3 days; County Connection uses two days).

In the Transportation Cooperative Research Program (TCRP) Report 124, "Guidebook for Measuring, Assessing and Improving Performance of Demand Response Transportation" (published 2008, Page 92), examples are given of systems that reduced their advance reservation period from 14 to 7 days (with a drop in cancellations from 22% to 18%), and from 7 to 3 days (drop from 12% to 8%, and 24% to 20%).

## **Use of Taxis**

MST has recently informed MV that by January 2012 the company is required to provide 15% of paratransit trips in taxis. The company will still be required to meet the 1.9 trips/hour productivity threshold (which should be easier if the less productive trips are excluded from this formula). MV has discretion regarding which trips to assign to taxis, and the dispatchers can also decide on which taxi company. MV is reportedly considering founding a taxi company and purchasing 4 accessible taxi cabs. MST's objective for requiring this diversion by the operator is



based on the belief that taxis can provide these trips during the lowest productivity hours more efficiently. MV will be reimbursed a flat \$25/trip for taxi trips in the peninsula and Salinas. This compares to \$40-60/trip during the lowest productivity hours. MST has projected a cost savings of \$150,000. The consulting team does not have sufficient data to make a cost savings estimate, particularly since MST will not have control over which trips will be diverted to the taxi company. If the trips are diverted to an MV owned company, then it does introduce the possibility that MV could be compensated the flat \$25 for shorter, low cost trips which would impact actual cost savings. However, a full cost analysis is beyond the scope of this study.

The potential for fraud or duplication of trip charges is another issue that has been cited. Based on a preliminary understanding of the proposed taxi diversion requirement, there is the possibility that taxi drivers could collude with riders to be paid an excessive amount for a taxi trip, particularly if there is no limit placed on the number of vouchers that can be purchased by the rider. It also appears possible that MV could be paid for a taxi trip both as part of the paratransit program and as part of the taxi voucher program. However, safeguards that we are unaware of may have been put in place to prevent this from occurring.

## **Park-Outs**

“Park-outs” are an operational practice which allows the paratransit driver to park the vehicle overnight either at his or her home, or at a facility nearby. Based on our understanding of MST’s policy on the use of “park-outs,” MST generally does not support the concept. It does appear that MV has been allowed to use “park-outs” in some South County locations recently. The main benefit of park-outs is that they would potentially reduce van deadheading between the facility and the first pick-up and again between the last drop-off and the facility. Vans would be stored closer to where the runs begin and end. Limiting vehicle deadheading cuts costs based on time and distance, such as fuel, labor, and maintenance. An additional side benefit is that they could potentially reduce commute times for drivers who live in the areas where the vans are stored.

While distance and time based costs are reduced by park-outs, overhead costs such as those involved in site set-up and maintenance, scheduling, and supervision may increase. Additionally, the logistics involved in almost every aspect of operations become more complex when vehicles and drivers are located in more than one place. In particular, scheduling, maintenance, transport, fueling, and cleaning all become more challenging. While the tradeoffs to be considered in potentially expanding the park-out policy are outlined here, full exploration of this issue is also beyond the scope of this study.

## **Feeder Service**

Based on the experience of other paratransit systems, feeder service to get riders from their origin or destination to a fixed route transit stop may have limited but valuable application in Monterey County. These services are particularly appropriate in service areas that are elongated, where fixed-route service is available with headways of less than 30 minutes, at least during the hours of operation when the trip is being provided. Expanding the role of feeder trips in South County may be doable, depending on the quality of information provided in the conditional eligibility determinations of registrants.

## Eligibility

There are almost 3,200 individuals registered with the MST RIDES program. Compared to the ratio of registrants to total population in other cities, this is on the high end of industry standards (about 1% of Monterey County's population, compared to an average of 0.7% in ten other cities in a study conducted by the consultant for a parallel project). Similar to many paratransit programs in comparable sized communities, MST relied on a paper-based application process until October 2010, which may explain why the registration base remains higher than in other paratransit programs. However, since that time, the agency has conducted in-person interviews and functional assessments with all new applicants, and required recertification through this process of existing registrants. Once an individual has been recertified, s/he is no longer required to undergo recertification (in essence, receives life-time eligibility) if their functional ability to use transit is not likely to improve. Those who do not receive life-time certification must recertify every three years. The certification process does not include the FACTS test (Functional Assessment of Cognitive Transit Skills).

In-person assessments are conducted at one location in downtown Monterey. While this does mean that some applicants have a long trip to participate in the assessment, this is not a compliance issue and there are certainly examples of eligibility processes that require significantly longer rides (e.g. UTA in Salt Lake City, and Access Services in Los Angeles).

There is one full-time individual assigned to the certification task, and an additional two staff persons who are partially responsible for both travel training and back-up assessments, particularly those requiring Spanish-language skills. Up to five assessments are scheduled each day, but over a quarter of the individuals no-show or cancel their appointments. This is consistent with industry standards. During the period from January 2006 through October 2010, approximately 3,600 applications were reviewed, for an average of about 63 monthly applications. When reviewing the period from January 2008, the monthly total increased to about 78.

Following the implementation of the in-person assessments, the number of monthly applications has averaged 50, and the actual number of reviews (i.e., individuals who followed through with participation in the in-person assessments) has declined to 36, or about half the monthly total during the previous two years. These numbers suggest that a significant number of individuals were applying (and being approved) for MST RIDES eligibility before the implementation of in-person assessments. It's worth noting that the eligibility denial rate is almost unchanged, suggesting that those who are currently applying truly are eligible for the service.

Unfortunately the eligibility outcome data for the process prior to October 2010 is flawed, as a significant proportion of the outcomes cannot be accounted for. In other words, the number of approvals, denials, and visitors does not add up to either the totals received or reviewed. However, the post-October 2010 data is more reliable, and indicates that 76% of applicants who complete the process are granted full eligibility, and 20% conditional eligibility, which is fully consistent with industry standards for in-person assessments. These percentages represent the numbers when visitors are excluded, but do include those who are found temporarily eligible. Reflecting Monterey County's role as a tourist destination, the proportion of visitors applying for eligibility (about 11%), is higher than most systems, and appears to be growing.

The following figure presents eligibility outcomes in other systems in the U.S., providing a benchmark to compare how the MST RIDES program compares to industry standards. Although

these are all large systems, the outcomes should not differ substantially between small and large systems.

**Figure 7 Eligibility Outcomes**

System/City	Eligibility Outcomes				
	Unconditional	Conditional	Temporary	Denial	Other
RTA Chicago, IL	80%	18%	2%	1%	N/A
RTC Las Vegas, NV	46%	30%	13%	9%	< 1% *
King County Metro Seattle, WA	70%	29%	Not reported	<1%	N/A
ACCESS Pittsburgh, PA	52%	29%	8%	11%	N/A
SEPTA Philadelphia, PA	38%	54%	2%	2%	4% **
UTA Salt Lake City, UT	63%	25%	6%	<1%	6% ***
<b>MST RIDES (since 10/2010)</b>	<b>76%</b>	<b>20%</b>		<b>4%</b>	

\* Non-ADA eligibility  
 \*\* Pending determination  
 \*\*\* 2% Incomplete, 4% non-compliant mobility aid

Another data point worth noting is that the proportion of wheelchair users in MST RIDES' database is higher than generally found in other paratransit systems. During the period from 2006 to 2010, over 30% of registrants were wheelchair users, instead of the range of 15% to 25% commonly found in other systems. This number could have implications for vehicle assignments and productivity, which were discussed earlier in this report.

### Eligibility Assessment Observations and Issues

Observations of the interview/assessment process suggest that the current approach is sound, with room for minor improvements. The outdoor assessment is well-designed to be able to incorporate the various elements of a bus trip, including path of travel issues. It is particularly advantageous that MST has been able to include an actual bus trip as part of the assessment, which most systems would choose to do but are unable to for various logistical reasons. Even though this does result in slightly longer assessment times of approximately one hour, the benefits of the "real world" assessment make this a valuable model. In addition, the current approach to cross-training staff is a sound one, as it enables MST to comply with the 21-day certification period allowed by the ADA.

While all areas appear to be well covered in the interview process, the interviews themselves appear to be somewhat stilted and inflexible. All assessors should strive towards a relaxed conversational style and be willing to depart from the interview protocol as needed.

According to staff, there is insufficient time to summarize assessment findings immediately after the applicant has completed the in-person process. Usually a number of days, and sometimes up to two weeks can pass before staff have an opportunity to fully document their findings from the assessment. It is extremely difficult to accurately remember various aspects of an individual's functional abilities when the assessor has conducted numerous other assessments prior to fully documenting the findings.

It can take up to four weeks for an applicant to be scheduled for an appointment. Since applicants are offered presumptive eligibility while waiting, this is not a violation of the ADA, but is not good practice. The lag time does represent an administrative burden as it creates a body of individuals who have to be tracked while they have presumptive eligibility status, participate in the certification process, and then for the most part are found eligible, in which case their status has to be changed again. In addition, this delay creates a situation in which it is difficult to deny eligibility to an individual who has been found presumptively eligible and has been regularly riding MST RIDES.

While the eligibility staff is under the impression that conditions are somewhat routinely applied, in fact there is almost no implementation of conditional eligibility. A significant minority of registrants are certified as conditionally eligible, but according to the call taker at MV Transportation, there is virtually no enforcement of eligibility conditions. Only one or two trip requests a week from conditionally eligible riders are reportedly denied. The net effect is that the 96% of applicants who are certified receive full eligibility. This is not an uncommon situation, but is an unfortunate missed opportunity for reaping the benefits of the more accurate eligibility process. The trend nation-wide is to pay more attention to eligibility certifications and to initiate limited application of eligibility conditions.

In addition, during our site visit to the MV facility we observed one registrant for whom service was limited to medical trip purposes, which is clearly in violation of the ADA. It should be noted that if this restriction was limited to subscription service only, and the individual could use paratransit for all demand-response trips regardless of trip purpose, there would be no ADA issue. While time did not permit further research into the individual's eligibility status, MV's General Manager has indicated that this type of trip prioritization is certainly not MST RIDES practice.

## **Compliance with ADA Regulations**

Based on the team's assessment of the MST RIDES operation, the program appears to be fully compliant with the ADA requirements in the following areas:

- No capacity constraints (close to zero denials, acceptable on-time performance – verification of measures such as compliant ride times were not included in this study)
- Comparable hours and days of service to fixed-route
- Comparable service area
- Compliant advance reservation policy with reservations up to close of business the day before the trip
- No discrimination based on trip purpose (although the singular example based on medical trips cited above should be further explored)
- Fares do not exceed twice the fixed-route fare

**Curb-to-Curb Issue:** One ADA compliance item that should be addressed is the explicit advertisement of the service as being curb-to-curb. The Customer Handbook indicates that “each customer must be able to meet the MST RIDES vehicle at the curbside nearest his or her pick-up/drop-off location. The Guide further states that “it is the customer and/or caregiver’s responsibility to arrange for a caregiver to be present to assist the customer between the curbside and the building, both at the pick-up location and at the final destination.” However, according to the ADA, a personal care attendant can only be required if the rider, without the accompaniment of an attendant, represents a danger to others or a disruption to provision of service.

However, in an ADA Compliance Review conducted by the federal Transit Administration of a system that also has a curb to curb policy, the FTA stated that “this policy does not comply with the DOT ADA regulations (49 CFR Section 37.129(a) that require service on an “origin-to-destination” basis.” On September 1, 2005, DOT released formal Disability Law Guidance on the subject of Origin-to-Destination service. The Guidance indicated that “the service may need to offer assistance beyond the curb, even though the basic service mode of the paratransit provider remains curb-to-curb.” ([www.fta.dot.gov/civilrights/ada/civil\\_rights\\_3891.html](http://www.fta.dot.gov/civilrights/ada/civil_rights_3891.html)).

According to MST management, in practice many drivers do provide the extra level of service needed for those who are independently unable to reach their front door. This combined with ADA regulations indicates a need to update MST RIDES informational materials. Following is suggested language that can be included in a revised version of the manual:

Page 5: “The MST RIDES service is curbside to curbside, *with door-to-door service as needed*. The shared-ride transportation is available whenever.....”

Page 6: Curbside to curbside service, *with door-to-door as needed*

Page 10: The MST RIDES program provides “curbside to curbside service, with door-to-door as needed....”

Page 22: “Curbside-to-curb, with door-to-door as needed means that most customers are expected to meet the MST RIDES vehicle at the curbside nearest his or her pick-up/drop off location. However, for some riders, extra assistance will be provided to the door if requested.

Pages 23/24: Special Circumstances – this whole section should be considered for deletion

**Reasonable Modification of Policies and Procedures:** While “reasonable accommodations” pertains to Title I (Employment) of the ADA, “reasonable modification of policies and procedures” applies to Title II, which is the title of the law relevant to MST’s provision of paratransit service. Recent application of this concept has been confusing to paratransit providers, but as far as it applies to MST RIDES, we offer the following discussion.

The Department of Transportation’s recent “Miscellaneous Amendments” (issued on September 19, 2011 in the Federal Register/Vol. 76, No. 181), includes the following language:

*“The NPRM (Notice for Proposed Rulemaking) proposed adding language to the rule, parallel to that in Department of Justice ADA rules...., requiring regulated entities to make reasonable modifications to policies in order to ensure appropriate and nondiscriminatory service to persons with disabilities..... The Department is continuing to work towards a final rule addressing this subject.....The Department notes that its September 2005 guidance concerning origin-to-destination service remains the Department’s interpretation of the obligations of ADA complementary*

*paratransit providers under existing regulations. As with other interpretations of regulatory provisions, the Department will rely on this interpretation in implementing and enforcing the origin-to-destination service requirement of part 37. This application of the origin-to-destination service requirement of the existing rule is not dependent on the ultimate disposition of the NPRM's reasonable modification proposal (page 57934)."*

In other words, the DOT is indicating that the enforcement of door-to-door service (at least in some cases on an as-needed basis) is not the result of the pending reasonable modification proposal, but is simply a clarification of the existing origin-to-destination requirement that has always been in place. The issue of reasonable modification pertaining to other aspects of paratransit service is still currently under review, so this requirement does not as yet require other reasonable modifications of MST RIDES service.

In most cases the courts have accepted the FTA's interpretation of the guidelines (as in the Melton versus Dallas Area Rapid Transit case in 2004), but in the 2008 Boose versus Tri-Met case on the issue of dispatching vehicles of the registrant's choice, the court went against the FTA. Following is the concluding language in the case that is relevant to MST:

*"Under the plain language of the regulations and according to persuasive applicable case law, public entities are not, to the extent they provide public transportation services, subject to the reasonable modifications mandate of 28 C.F.R. § 35.130(b)(7). Because no statute or regulation requires TriMet to modify its FTA-approved paratransit program in response to user requests for disability accommodation, Boose's claim necessarily fails as a matter of law."*

## RECOMMENDATIONS FOR PROGRAM IMPROVEMENTS

### Eligibility Recommendations

- MST RIDES should have a policy for applicants who do not appear for their scheduled eligibility assessments. The first time individuals no-show, they should be sent a letter indicating that if they no-show a second time, they will be required to start a new application process, and the period for 21 days allowed for the determination will start again.
- Since MST now has nearly a year's experience with in-person assessments, it would be valuable to examine the time allocation of the Mobility Management unit's staffing to determine if additional time can be allowed to enable the assessors to summarize their interview notes and external assessment observations within 24 hours of the appointment.
- In order to reap the full benefit of the investment in in-person assessments, MST should take the first steps towards implementing conditional eligibility. While the MV contract indicates that the operator should only provide trips to registrants who have been certified as eligible (Item 3.5.1), it does not clearly state that trip requests from conditionally eligible riders will be screen to determine trip eligibility. Trip screening should be done in close cooperation with MV call taking and operations staff.

A prerequisite for effective implementation is the quality of the information provided by the certifiers in their descriptions of the eligibility conditions, both in the letter to the registrant, and in the client's reservation file. The vast majority of trip eligibility decisions should be made administratively before the registrant calls to request a trip. The information in the trip determination should be specific enough so that at the time of the trip request, the reservationist will know whether the trip is eligible or not.

In order to implement this process, MST can decide to only implement trip screening for those clients whose conditions relate to: a) distance (particularly for manual wheelchair users who would be impacted by terrain at either origin or destination, but could ambulate to nearby level bus stops), b) hours of darkness (for those with low vision), c) for people with cognitive disabilities, trips for which they have been trained, or which require more than one transfer, d) weather, using the [www.weather.gov](http://www.weather.gov) web site to determine rain and temperature extremes in the upcoming seven days. In all instances, people who have variable conditions ("good day/bad day"), the individual decides the day of the trip whether they are able to ride or not. However, even the implementation of the conditions outlined above could have a significant impact.

- The current practice of combining travel training with the eligibility assessments needs to be examined. The purpose of the outdoors assessment is to determine the functional ability of applicants without the aid of an attendant, and without additional guidance. If the assessor provides assistance during the assessment, it distorts the accuracy of the assessment. The tradeoff is that separating these two functions will add to the time required – however, given that the determination will have ramifications for paratransit demand over many years to come, MST should at least explore this possibility. Since the whole bus trip is part of the assessment, the travel trainer cannot provide assistance



during the course of the assessment, but can at least provide advice on the walk back from the bus to the assessment center. In addition, this may be an opportunity to inform the applicant about the availability of travel training. Under either circumstance, the assessor may need to provide some basic information about how to use the bus to a first-time user, since ignorance of how to ride does not necessarily reflect physical or cognitive inability to ride.

## **Service Policy Recommendations**

- MST should reduce the advance reservation period from 14 days to either 7 or 3 days. After a one year period, the no-show rates should be examined to determine if there has been a reduction in no-shows and cancellations.
- The Guidebook should be edited to indicate that, while MST RIDES is a curb to curb service, door-to-door transportation will be provided upon request when a caller makes a reservation

## **Operations Recommendations**

- MST should work with MV to examine the staffing capacity of the call taking function. If a technical method is not available for measuring call waiting times, MST could choose to either conduct a sample of phone calls or observe the call taking function during the morning hours. Based on a review of initial wait time limits at six other systems, we recommend that MST adopt a standard of 100% of all calls should be answered within 2.5 minutes. One possible outcome of this examination would be the addition of personnel to reservations to make MV's operation more consistent with other paratransit programs. In any event, the significant dependence on the reservationist needs to be addressed, and a transition plan for when she chooses to retire should be in place.

## **Other Recommendations**

- If the IVR system is installed, it may be expected that the no-show rate will decline. MST should monitor fluctuations in this rate for six months after installation, and if the rate has not been reduced, the agency should consider implementation of sanctions. The threshold for implementing these sanctions should be based on no-shows as a proportion of total trip requests per individual, rather than the absolute number of no-shows. Given that a no-show policy has not been enforced to date, simply notifying repeat offenders and threatening sanction may have a significant impact on their behavior.
- MST has already initiated contact with the local dialysis clinics to achieve some flexibility in the dialysis appointments, in order to meet the system's capacity availability. Given the current pressure of dialysis trips, and expected growth in the future, MST should build upon these initial contacts to negotiate a cost sharing arrangement with the dialysis clinics, which will result in much needed revenues and partially offset the financial burden of trips to the clinics. There are a number of service parameters allowed by the ADA that would not work for the dialysis clinic's appointment schedules. For example, the reservationist is allowed to negotiate a trip time one hour before or after the requested trip time. In addition, vehicles may arrive within a designated window of time.

The combined effect of both these service parameters would conflict with most of the time-sensitive appointment schedules at the clinics. In other words, patients going to dialysis clinics are currently receiving premium service that exceeds the ADA minimum requirements. Even if dialysis clinics paid half the cost of the paratransit trips in order to secure this premium service, this would represent a significant revenue generator for MST.

