



OPERATING POLICIES AND GUIDELINES FOR ZIPS COMPLIMENTARY ADA PARATRANSIT SERVICE

The Zumbro Independent Passenger Service (ZIPS) is a complementary ADA paratransit transportation available for individuals with physical and/or mental disability who are unable to ride Rochester Public Transit Fixed Route* buses. This is a shared-ride, door-through-door, driver assisted service** which requires advance reservations through a Contractor hired by Rochester Public Transit. Customers must complete an eligibility process before using this service.

The current contractor for Paratransit services is MyCity Transportation under contract with First Transit, Inc. (Transdev)

*Large transit buses operated on designated routes by Rochester Public Transit.

**Operators assist passengers through the first door of a building at both their point of origin and their destination. First door is defined as giving inside access to the building.

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1.0 INTRODUCTION

The Zumbro Independent Passenger Service (ZIPS) is a complementary ADA paratransit, door-to-door public transportation system for people who cannot use the Rochester Public Transit fixed route bus service due to a physical and/or mental disability. Administration of the ZIPS program is provided by Rochester Public Transit. Operation of the service, including dispatch, routing, personnel and vehicle maintenance, is provided by private operators under contract with Rochester Public Transit.

The purpose of this document is to outline the specific policies by which the service is operated for both the user and the operator. These policies have been developed using the Americans with Disability Act (ADA) rules and guidance. Questions and comments should be directed to the address below.

Rochester Public Transit
4300 East River Road NE
Rochester, MN 55906
Telephone: (507) 328-2434
FAX: (507) 328-2432
TDD: (507) 328-2900

2.0 ELIGIBILITY

2.1 Eligibility Criteria

ZIPS complementary ADA paratransit is for people who cannot use the fixed route city bus service (Rochester Public Transit) for one or more of the following reasons:

1. Inability to Navigate System Independently: A person who is unable, because of a disability, to board, ride, or disembark from any vehicle in the system on their own.
2. Lack of Accessible Vehicles, Stations, and Bus Stops: If the Rochester Public Transit route, vehicle, boarding location, or disembarking location is inaccessible.
3. Inability to reach boarding point or destination: A person's disability prevents them from traveling to and from a bus stop.

Once a need is established, based on one of the above criteria, determination will be made as to whether the condition is:

- A. Permanent- For persons who are permanently disabled and unable to be trained to use regular route public transit.
- B. Temporary- For people needing service until their disability condition changes or they receive training to use regular route public transit.

2.2 Eligibility Exclusions

ZIPS reserves the right to decline service to passengers with any of the following conditions:

1. Any person for whom there is a foreseeable need for medical attention during the trip.
2. Any person with a contagious disease.

3. Persons requiring external life support equipment.
4. The need for equipment that would threaten the health or safety of others.

People who normally use a personal oxygen supply or a similar type of equipment which is carried by the passenger or attached to the wheelchair would be considered eligible.

2.3 Temporary Disability

ZIPS complementary ADA paratransit is for people with a permanent or temporary disability. A person with a temporary disability is eligible for service for the duration of their disability. An estimate of the time length of the disability should be provided when applying for service. At the end of the time period indicated on the application, the applicant must inform the ZIPS system if there is a need to extend the approval for an additional period.

People with temporary disabilities are to be considered for ADA paratransit eligibility. This may include: someone with a medical condition such as a broken leg who is temporarily unable to use the fixed route service; someone who has recently undergone an operation or other medical treatment and who is unable to use the fixed route service; or someone with a cognitive disability that can be expected to be resolved over time through treatment or medication.

2.4 Application Procedure

To use ZIPS service, all individuals must submit an application and certification from a physician, nurse, or case manager and be certified by Rochester Public Transit as eligible. Upon certification, applicants will be issued an identification card and number.

The steps for applying are as follows:

1. Obtain an application and physicians certification form. Forms are available by mail by calling (507) 328-7433. Applications are also available online at rochestermn.gov/ZIPS or by emailing rpt@rochestermn.gov.
2. Complete the application. A physician, nurse, or case manager must complete and sign the certification form. Note that eligibility shall not be automatic based on physician's certification. Additional information may also be required.
3. Return completed forms to Rochester Public Transit.

Forms can be mailed or dropped off at the RPT office, address below, or faxed to 507-328-2432.

Rochester Public Transit
4300 East River Road NE
Rochester, MN 55906

2.5 Application Review, Approval, and Challenge

1. RPT will review all submitted information to make a determination of ZIPS eligibility. RPT may also request additional information to make a determination. A decision will normally be made within 10 days of receiving the application but no more than 21 days.

If approved, the applicant will receive instructions on how to use ZIPS. It will be mailed or emailed to the address listed on the application immediately after acceptance into the program.

If RPT's determination is not approved," the decision will be made in writing and will explain the reasons why the client was rejected. The letter of rejection will include the process the applicant would need to follow to challenge the determination. Section 2.5.2 describes the process to challenge RPT's determination.

2. The applicant may challenge the determination made under 2.5.1 by contacting RPT and requesting reconsideration. The applicant can provide additional information or references to address the issues RPT identified in the application. Once any new information is reviewed, RPT will issue a second determination. This second determination will normally be made within 10 working days of receiving the request and receipt of additional information that is submitted.
3. If the applicant is deemed ineligible after the second determination, RPT will advise the applicant that they may appeal the decision to the Citizens Advisory on Transit's Eligibility Review Committee (defined in section 2.6). If the applicant indicates that they want to appeal, RPT will submit the application and information available to the Eligibility Review Committee and notify the applicant of the meeting date. A physician may be requested to appear before the Committee on the applicant's behalf in support of the applicant.

This second determination of ineligibility may be appealed within 60 days of the date of the determination. (A new application may be submitted at any time). All appeals will be decided within 30 days. Temporary eligibility will be granted to people whose eligibility appeal is not determined after 30 days.

2.6 Eligibility Review Committee

The "Eligibility Review Committee" consists of a minimum of any three members of the Citizens Advisory on Transit.

2.7 Presumptive Eligibility for Visitors

Service will be provided to registered riders from similar systems for any combination of 21 days during any 365-day period beginning with the user's first use of the service based on presentation of certification from another jurisdiction.

Service will also be provided for up to 21 days of service to non-residents from a jurisdiction without paratransit services. These riders should provide proof of non-residency and medical documentation of the applicant's disability, such as a letter from a physician.

After 21 days of service in a 365-day period the individual must submit an application for review and approval under the regular process.

3.0 GENERAL INFORMATION

3.1 Service Area

ZIPS serves the City of Rochester, the specific service area can be found by clicking on the following link. [ZIPs service area map](#)

3.2 Operating Hours

ZIPS provides normal weekday pick-ups Monday through Friday from 5:00am until 10:30pm, excluding holidays. On Saturday, Sunday, and holidays, ZIPS provides pick-ups from 7:00am until 5:00pm. Holidays include New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day. Operating hours are subject to change to match regular route bus service hours per the Americans with Disabilities Act.

3.3 Fares

Each fare purchased provides a one-way trip. Each time the passenger boards the bus it is considered one ride. A single fare is \$3.00 per ride. Riders can purchase a 5 ride pass for \$15.00 or a 10 ride pass for \$30.00. Tickets may be purchased from the ZIPS driver or the RPT main office at 4300 East River Road NE Rochester, MN 55906. Fares can also be purchased through the RPT Mobile App. Fares are subject to change.

Children 5 years of age and under accompanied by an adult can ride for free. Please review section 5.1 for service standards regarding children.

3.3.1 Agency Fares

ZIPS may charge a fare higher than the regular fare to social service agencies and other organizations for guaranteed trips to serve the organizations.

Agency Fare: \$6.50

Note: Agency fares were established by Rochester Public Transit in July, 2001. The Federal reference to agency fares under ADA can be found in 49 CFR 37.131. Arrangements for monthly invoicing of agency fares are made through Rochester Public Transit. Rochester Public Transit agreed to apply an "agency fare" to social service agencies that receive a per diem reimbursement for their clients' transportation.

3.4 Refunds

ZIPS is not responsible for lost or stolen passes.

No refunds will be given for unused or partially used tickets.

If a pass is damaged, a replacement pass may be issued for the value left on the damaged pass. Replacement passes can be requested by visiting the RPT office at 4300 East River Rd. NE. To establish proof of ownership, the rider should provide the pass number, proof of purchase (receipt or canceled check), and a state-issued ID or passport. All three items are necessary to receive a replacement pass.

3.5 Transfer of Tickets

The transfer of tickets between eligible users is allowable. The new holders' ID number should be written on the face of the ticket.

4.0 TRIP RESERVATION PROCEDURES

4.1 Requesting a Ride

Reservations for service may be made by calling the ZIPS dispatcher at **507-328-7433**.

When requesting service, provide your name, the pick-up location and drop-off destination, the time service will be needed, whether you require a wheelchair position, and if you have any accompanying passengers or are traveling with a personal care attendant.

It is RPT's goal to provide ZIPS pick-ups within 30 minutes of the requested pickup time and drop-offs within 60 minutes of the requested time, provided that the request was made at least the day before. The dispatcher will confirm the approximate pick-up and drop-off times when the reservation is made.

RPT strives to schedule trips that closely match passenger's desired arrival, or departure times. However, to efficiently schedule rides for all passengers, ZIPS may schedule your trip up to 60 minutes before or after your desired pick-up time, depending on the circumstances.

Our schedulers will help assist you with a schedule that best meets your needs. The further in advance that you are able to book a trip, the greater the chance we can accommodate your preferred time.

If the vehicle is expected to arrive more than 10 minutes late from scheduled time, the dispatcher will attempt to inform passengers by telephone of the revised pick-up time. The dispatcher's ability to inform passengers is dependent on the passengers waiting location and access to a telephone.

4.2 Advanced Notice

Rides are scheduled on a first-come-first-served basis. Passengers are encouraged to make reservations no later than the day before. An exception to this rule would be for subscription trips as defined under Section 4.4.

Reservations may be made 7 days a week, Monday through Friday between 5:00am to 7:00 pm and Saturday, Sunday and Holidays* in service between 7:00am to 5:00pm.

*New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day

Reservations will be taken up to 7 days prior to the trip.

Riders should be aware that there are certain peak demand times such as early morning and mid-afternoon which may affect the availability of service.

4.3 Last-Minute Reservations

RPT will try to serve requests on shorter notice. However, the chances of being served at the requested time diminish with shorter notice.

4.4 Subscription Service (Standing Orders)

In some instances, such as daily employment trips, it may be more efficient to allow a standing order for service at a prescribed time of day. In such instances, daily advance notice by users may be waived. Such users would call in only for cancellations.

4.5 Cancellation of Reservation

Users are required to provide a minimum of one-hour notice for the cancellation of a request.

4.6 Pick-up Windows and Waiting Times

The contractor will be allowed a 30-minute “pick-up window” for each stop.

1. The 30-minute window is the period of time the bus may arrive at a pick-up point. This window is 0-30 minutes from the requested pick-up time.. For example, if the ride pick-up time is 9:00am, the bus may arrive anytime between 9:00am to 9:30am and be considered on time.
2. The bus driver will wait 5-minutes for the passenger. The bus may arrive anytime within the 30-minute pick-up window and riders should be prepared to board the bus as soon as it arrives. After 5 minutes, the bus will depart, and the passenger will need to book a new ride.
3. The driver may exercise discretion knowing the situation or circumstances of a passenger.
4. If the waiting period has expired and the passenger is in sight or has signaled, they are coming the driver will wait.

4.7 Bus Delays

If the vehicle is expected to arrive more than 10 minutes late, the dispatcher will attempt to inform passengers by telephone of the revised pick-up time. The dispatcher’s ability to inform passengers is dependent on the passengers’ waiting location and access to a telephone.

5.0 SERVICE STANDARDS

5.1 Children

Children 5 and under ride for free on RPT buses. Children ages 9 and under must be accompanied by a person at least 15-years old or older to act as a caretaker of the children. The number of children allowed per caretaker is limited to the capabilities of the caretaker to supervise the children. That determination will be made by the driver. Section 5.2, Items 1, 3 and 4 also apply to children accompanying a rider.

5.2 Personal Care Attendants & Accompanying Passengers

ZIPS riders are allowed to be accompanied by a personal care attendant (PCA) on all trips. The need for a PCA should be indicated on their ZIPS application. The PCA will not be charged a fare beyond the initial ZIPS fare paid by the eligible individual. Additional persons accompanying the eligible individual are to be served on a space-available basis to prevent the displacement of another ZIPS rider. Each accompanying passenger who is not the PCA will require the eligible individual to pay a full ZIPS fare for their trip in addition to their own. The PCA and any accompanying passenger’s pick-up point and destination must be the same as the ZIPS user. It is required for the eligible user to notify ZIPS customer service if a PCA and/or accompanying passenger will be joining their trip.

5.3 Service Animals

Per ADA rule Title II section 35.104 and section 35.136, a service animal is a guide dog, signal dog, or other animal that has been individually trained to do work or perform tasks for the benefit of an individual with a disability.

Animals that are not trained to perform tasks that mitigate the effects of a disability, including animals that are used purely for emotional support, are not service animals.

To ride the bus, service animals must be under the handler's control at all times and housebroken. If an animal is deemed to be out of control, such as displaying aggressive or exuberant behavior, or is not housebroken, the animal can be excluded from riding the bus. The individual with the disability will still be welcome to ride.

5.4 Transport of Packages and Goods

ZIPS limits the number of packages to two per passenger. Packages or parcels must fit on the passenger's lap when seated and be under their control at all times.

5.5 Disorderly Conduct and Behavior Problems

Behavior problems and/or disorderly conduct include actions or behaviors that diminish the safety and comfort of the passenger themselves or other passengers. Behavior problems and disorderly conduct also include actions that cause damage to persons or property or disrupt service and the attention of the driver.

Disruption of service includes actions or situations that affect the safe and timely transport of passengers

5.6 No Shows

"No-Shows" are defined as follows:

1. The customer cancels the trip less than 60 minutes prior to the start of the scheduled pickup window.
2. The vehicle arrives on time, but the customer no longer wants the ride.
3. The vehicle arrives on time, but the driver cannot locate the customer at the requested pick-up location.
4. The vehicle arrives on time and waits for two (5) minutes, but the customer is not ready to go, and the driver must leave to stay on schedule.
5. If a "no show" occurs on the first trip, the return trip will not automatically be cancelled unless a reasonable effort to contact the passenger has been made. Reasonable effort means that dispatch will attempt to contact the passenger utilizing their contact information that is on file. Contact may be made through telephone, text message, and/or email.

5.7 Procedures for Suspension of Service

The Paratransit contractor is responsible for tracking and implementing the procedure for suspension of services. Before a suspension of service is applied to any user, the contractor must first review and seek approval from the RPT.

It is very important to note that sanctions could be imposed only for a “pattern or practice” of missed trips. A pattern or practice involves intentional, repeated or regular actions, not isolated, accidental, or singular incident. Moreover, only citations within the control of the individual count as part of a pattern or practice. Missed trips due to operator error are not attributable to the individual passenger for this purpose. If the vehicle arrives substantially after the scheduled pickup time, and the passenger has given up on the vehicle and taken a taxi or gone down the street to talk to a neighbor, that is not a missed trip attributable to the passenger. If the vehicle does not arrive at all, or is sent to the wrong address, or to the wrong entrance to a building, that is not a missed trip attributable to the passenger. There may be other circumstances beyond the individual’s control (e.g. a sudden turn for the worse in someone with a variable condition, a sudden family emergency) that make it impracticable for the individual to travel at the scheduled time and also for the individual to notify the entity in time to cancel the trip before the vehicle comes. Such circumstances also would not form part of a sanctionable pattern or practice.

- A. Violation of ZIPS No-Show Policy. While a ZIPS user cannot be terminated from using ZIPS due to excessive late ride cancellation and no showing for a pick-up, they can be temporarily suspended as long as the policy allows for suspension appeals.
- B. Pattern and Practice of No Shows. A ZIPS user may be suspended from ZIPS paratransit service when they show a “pattern and practice” of No Shows (during a 30 day look back period) which occurs once:
 - i. A ZIPS user has been a registered ZIPS user for 30 calendar days; **AND**
 - ii. A ZIPS user has scheduled 20 trips since registering; **AND**
 - iii. A ZIPS user has accumulated 3 No Shows since they were registered; **AND**
 - iv. The number of No Shows represents more than 6% of their requested trips within a 30-day look back period.
- C. The No Show is excused if it occurred as the result of a situation beyond the customer’s control. Please note that “beyond the customer’s control” does not include situations such as not feeling well just before the agreed-on pickup time, forgetting you had something else scheduled, oversleeping, or forgetting something in your apartment. It would include situations such as an emergency medical issue requiring an ambulance and/or hospitalization happening prior to being picked up for a scheduled ride, a maintenance problem in your building or home that does not allow you to get to the pickup point, weather related delays, ZIPS bus breakdown, or ZIPS scheduling errors.

The following are examples of what would and would not constitute a pattern and practice of No Shows:

Example 1: A ZIPS user has been a registered ZIPS user for 30 calendar days, has booked 25 trips during a 30 day look back period, and misses 3 trips. This ZIPS user **has a pattern and practice** of No Shows because (a) the ZIPS user had 3 No Shows, and (b) those No Shows represent at least 6% of the total trips booked ($3/25 = 12\%$);

Example 2: A ZIPS user has been a registered ZIPS user for 2 years, has accumulated 5 no shows in those 2 years, has booked 40 trips during a 30 day look back period, and missed 2 trips in those 30 days. This ZIPS user **does not have as a pattern and practice** of No Shows because those No Shows does not represent at least 6% of the total trips booked ($2/40 = 5\%$);

Example 3: A ZIPS user has been a registered ZIPS user for 30 calendar days, has booked 25 trips during the 30 day look back period, and misses 2 trips. This ZIPS user **does not have a pattern and practice** of No Shows because the ZIPS user did not have 3 or more No Shows during the 30 day look back period.

*Note: Because there were not at least 3 No Shows, the fact that the ZIPS user missed 20% of their scheduled rides is irrelevant for purposes of determining whether there has been a pattern and practice of No Shows.)

Example 4: A ZIPS user has NOT been a registered ZIPS user for 30 calendar days, has booked 30 trips during a 30 day look back period, and misses three trips. This ZIPS user **will not have a pattern and practice** of No Shows because the ZIPS user has not been a registered ZIPS user for 30 calendar days.

- D. Calculations for penalties. Calculations for penalties begin once a passenger a ZIPS user has been a registered ZIPS user for 30 calendar days and a ZIPS user has scheduled 20 trips. The ZIPS computer system keeps track of each trip a customer has requested, scheduled, taken, cancelled and/or "no showed." When a No Show occurs, the computer will calculate the percentage of No Shows for that customer's scheduled trips for the preceding 30 days. This will be calculated as follows:

$(\text{No Shows} / (\text{Scheduled Trips} - \text{Cancelled Trips})) \times 100 = \% \text{ of No-Shows.}$

1. Penalties. Once a ZIPS user has met the thresholds in 5.12B, penalties for No Shows are listed below: 1st occurrence: no penalty. The ZIPS user will be called to review the no show policy.
2. 2nd occurrence: no penalty. A letter of notification and a copy of the No Show policy will be mailed to the ZIPS user.
3. 3rd occurrence: seven (7) consecutive days suspension
4. 4th occurrence: fourteen (14) consecutive days suspension
5. 5th occurrence: thirty (30) consecutive days suspension

ZIPS will use a rolling 30-day time period when keeping track of non-show penalties. Any penalties older than 30 days will not be used in calculating the suspension length.

All penalties imposed under this policy are first subject to the appeals process listed below in 5.12G.

- a. Other Reasons for Suspension of Service. The ZIPS system reserves the right to suspend service to any individual immediately based on the following reasons:

1. A person is no longer eligible based on disability status.
2. A person's disability or condition is judged to be medically unstable and there is the foreseeable need for medical attention during transport.
3. A person has exhibited behavior problems and/or disorderly conduct during transport.
4. A person has caused incidents or situations that affect the delivery of service and are disruptive to the service.

Under 5.12F3 and 5.12F4, ZIPS may temporarily suspend service to an individual on an immediate basis if the incident is considered to be a threat to the safety of the individual and/or other passengers. The operator will, in such cases, consult with the individual or responsible guardian. Immediate suspension of service will require concurrence of the City.

- E. Notification and Appeals Process. Customers (or responsible guardian) who are in violation of the above Sections 5.12A, 5.12B, and 5.12F will receive written notice of the violation. The notice will include details of the violation, dates of violation(s), pending dates of suspension of service, and the appeals process.

An Appeal of a Determination to Suspend Service to an Individual may be made within 14 days of the date of notice of suspension, by notifying Rochester Public Transit. Rochester Public Transit will notify the Eligibility Review Committee (see Section 2.6) of the challenge and schedule a review for the next available meeting of the Committee at which time the individual may attend and discuss the situation. The Eligibility Review Committee shall make a final determination on all cases involving a challenge within 30 days of the meeting. A written notice of such findings shall be sent to the individual. During the Appeal, a ZIPS user will be allowed to continue to use ZIPS temporarily pending the outcome of the Appeal. Following the suspension period, customers would be able to resume service.

5.8 Driver Assistance

Door to Door- For passengers without an attendant, the driver can provide standby assistance to passengers from inside the door of their origin to inside the door of their destination upon request, or in a situation where assistance is obviously needed. Driver may not be out of eye sight of the vehicle.

On board Buses- Regardless of whether the passenger has an assistant, the driver is responsible for the passenger from point of entry on the bus to ensuring the passenger is sufficiently secured in a seat or wheelchair tied-down position.

5.9 Unsafe Loading Conditions

ZIPS reserves the right to refuse to service or load at a location deemed as unsafe. Examples include locations where the driver must assist a wheelchair passenger down steps, locations where the bus must back in or out through a narrow driveway with parked vehicles and children possibly present.

The driver will report such locations to the company management and the dispatcher will call the passenger and request a more satisfactory loading area. If no satisfactory location can be arranged the operator shall notify the passenger in writing that ZIPS will not load in that location.

5.10 Registering Complaints

Complaints can be made in writing and mailed Rochester Public Transit at 4300 East River Road NE, Rochester, MN 55906. Complaints can also be made by calling (507) 328-7433 or Rochester's telephone device for the deaf (TDD) at (507) 328-2900. Complaints may also be emailed to rpt@rochestermn.gov.

5.11 Use of Seatbelts and Tie-downs

All persons must be secured by seatbelts at all times. For those riding in wheelchairs, the driver will secure the wheelchair devices and engage separate seatbelts. Drivers will ensure that the passengers using seats will use the seatbelts at all times. A shoulder harness is available to all passengers upon request.

5.12 Bus Capacity Limits and Standees

Passenger loads exceeding seated and wheelchair tie-downs capacity shall not be permitted. No standees are allowed on ZIPS. All passengers are to remain seated until the vehicle comes to a complete stop.

5.13 Assistance for Hearing and Visually Impaired Passengers

Special assistance and information is available to hearing or visually impaired persons by calling the State Services for the Blind (Braille Transcription Unit) at 1-800-722-0550, or by contacting the City of Rochester's telephone device for the deaf (TDD) service at (507) 328-2900.

5.14 Smoking and Tobacco Products

Smoking and chewing tobacco products are not allowed while riding ZIPS. The use of electronic cigarettes is also prohibited.

6.0 DISPATCHING AND ROUTING

6.1 Routing

The operator shall design the most cost-efficient route for each day and for each trip by considering the origin and destination of each customer with a reservation for that day.

6.2 Travel Time

It is ZIPS's goal that in vehicle travel time for passengers within the city limits shall not exceed 60 minutes.

When a reservation for service is being made, the dispatcher will give the caller an estimate of travel time for the particular trip.

6.3 System Capacity Limitations

All requests shall be met within constraints of available capacity in terms of seating and scheduling. Individuals denied service due to capacity constraints will be offered an alternate time or referred to other available services.

6.4 Operator's Log of Turndowns

The operator shall keep a log of all turndowns and the reason the request was denied. A turndown is a denial of service, defined as not being able to meet a passenger's request within an hour before or an hour after the requested pick-up/ drop-off time.

6.5 Overflow Services

Rochester Public Transit's contractor may opt to subcontract for overflow services, in lieu of ZIPS bus service, that may include taxi, private van services, or other on demand providers. Overflow services may be used with permission of RPT at the discretion of the contractor, when it is more cost effective to purchase service by the ride rather than vehicle hour. The contractor shall select the shortest possible route and group such requests for service in the most economical route.

The contractor shall include in its scheduling and dispatching software, data such as, names of riders, pick up and destination points and number of miles and minutes of each trip, for all types of overflow services

Passengers shall be required to use a ZIPS ticket for such service on the basis of one punch per one-way ride.

6.6 Charter prohibition

ZIPS is prohibited from providing charter service per U.S. Department of Transportation regulations. 49CFR Part 604.

7.0 PERSONNEL

7.1 General

The private contractor is responsible for employing qualified drivers and other support personnel sufficient to operate the services as required under its contract with Rochester Public Transit. Personnel shall be instructed by the operator to ensure proper attitude, courtesy and safety when transporting passengers. Drivers shall be familiar with the operation of vehicles and the geographic area served.

The operator is responsible that drivers meet the following referenced regulations:

- Minnesota Statutes, Chapter 221.031.
- Federal Motor Carrier Safety Regulations, Parts 391-396.
- MN/DOT Motor Bus and Truck Rules, Chapter 8850.

7.2 Driver License Requirements

All ZIPS drivers are required to have a valid Class "B" Minnesota Driver License, be at least 18 years of age and have not less than one year experience as a licensed driver.

7.3 Driver Violation Record, Criminal Record, On-duty Violations

In the past three years, no more than two moving violations, and no more than one accident including accidents for which no citation was issued.

In the past seven years no conviction of a serious traffic violation (i.e. DUI, driving with a suspended license) and no more than two convictions of a serious traffic violation (i.e. failing to produce proof of liability insurance).

The operator shall review the driving record of each driver before hiring and annually thereafter. A copy of each driver's driving record must be kept on file by the operator.

Criminal record.

A driver must have a criminal record clear of any conviction;

As a habitual offender for driving under the influence of alcohol or a controlled substance under Minnesota Statutes, section 169A.24 or 169A.25; and,

Of a crime or anticipatory crime against persons, or a crime or anticipatory crime reasonably related to the provision of transit services, such as those crimes listed under Minnesota Statutes, chapter 8880.0800.

On Duty Driver Offenses

A driver becomes disqualified if the driver is convicted of one of the following offenses committed while on-duty and employed (including independent contractor) by a motor carrier or engaged in activity furthering commercial enterprise (49 CFR Part 391):

Driving under the influence of alcohol (or with alcohol concentration of .04% or more)

Refusal to undergo testing for alcohol

Driving under the influence of, transportation, possession, or unlawful use of an illegal drug

Leaving the scene of an accident in a CMV

Any felony involving the use of a commercial motor vehicle

Violation of an out-of-service order

7.4 Physical/Medical Requirements

All ZIPS drivers, prior to being hired, must meet the physical/ medical requirements as defined by Minnesota Statutes 14 MCAR 1.6009.

Every two years each driver shall obtain a form prescribed by the State of Minnesota, a physician's statement that the driver has no current medical condition which interferes with the driver's ability to drive safely. Drivers must be able to assist passengers into and out of the vehicle and operate a wheelchair lift or ramp.

7.5 Pre-Driver Training

Prior to driving all ZIPS drivers must have completed training as follows:

- Operation of vehicle to be assigned.
- Familiarization with the location and use of emergency equipment.

- Passenger assistance techniques; including discussion, demonstration and practice of handling wheelchairs, operation of lifts and tie-downs and assistance for ambulatory passengers.
- Operation of the radio.
- Instruction and demonstration of the wheelchair lift, tie-downs and any other special equipment.
- Instruction in procedures for medical emergencies and accidents.
- Instruction in conducting the daily vehicle inspection.
- Review and discussion of operating policies and guidelines.

7.6 Additional Training Requirements

Within 45 days after beginning driving each driver must complete the following:

- 8 hours of classroom instruction in defensive driving.
- 8 hours of abuse prevention.
- 8 hours of passenger assistance training.

7.7 Driver Training Refresher Courses

Every three years drivers shall complete a refresher course comparable to the training requirements outlined in Section 7.6.

7.8 Driver Uniforms/ Appearance

The operator shall provide seasonal uniforms to all drivers. Uniforms shall include a hat, pants, shirt and jacket. Drivers are expected to maintain a clean and neat personal appearance.

7.9 Driver Behavior

Drivers are required to show courtesy to all passengers. The use of profanity is prohibited. Proof of discourteous, abusive, insulting or inflammatory conduct towards the public may be reason for suspension of service.

7.10 Reporting of Incidents/ Accidents

Incidents, including confrontation with a passenger, behavior problems, or passenger equipment problems (e.g. wheelchairs), shall be reported to the Paratransit Manager immediately as practical, at the latest before the end of the working shift.

Drivers shall refer passengers with comments or complaints to the Paratransit Manager. Drivers should avoid arguing with passengers.

Situations requiring immediate attention, such as issues jeopardizing the safety or delivery of service, shall be immediately reported by radio to the Paratransit Manager.

All accidents shall be reported immediately to the Paratransit Manager.

The City shall be notified verbally or via email within one hour upon the Contractor learning of an accident. Following required notification to City, the Contractor shall submit the following to the City within two Business Days.

Accident report from the driver, written and signed by the driver.

Supervisory Investigation Report.

Post Accident Individual Drug & Alcohol Test Determination.

Pictures of accident/damage and any video from vehicle when accident involves personal property and/or person(s).

Police report number from the Rochester Police Department, if applicable.

The Contractor shall submit the following to the City as soon as they are available:

Drug and alcohol test results, if applicable.

Police report from Rochester Police Department.

7.11 Driver Comments and Suggestions

Drivers are encouraged to submit comments and suggestions regarding any area of service to the Paratransit Manager. Such comments shall be forwarded to Rochester Public Transit during periodic City/ operator meetings.

8.0 EQUIPMENT

8.1 Vehicle Specifications

ZIPS passenger vehicles all shall comply with standards of the Minnesota Department of Transportation's Operating Standards for Special Transportation's Operating Standards for Special Transportation Services (14 MCARs 1.6009).

8.2 Right to Refuse Transport Equipment

ZIPS reserves the right to refuse to carry assistance equipment (e.g. wheelchairs) considered to be non-standard or unique in design or size. Drivers shall report such incidents/ or equipment to the General Manager per Section 7.

8.3 State Requirements and Inspection

All vehicles shall be inspected daily prior to being put into service following the "Daily Driver Inspection" form provided by Rochester Public Transit.

The operator shall conduct a more detailed vehicle safety inspection once each week or every 1,000 miles, whichever comes first. Such inspection shall conform to Rochester Public Transit's maintenance procedures and manufacturer's recommended maintenance schedule.

9.0 DATA PRACTICES

9.1 Rights of Subjects of Government Data

In accordance with the Minnesota Government Data Practices Act, Rochester Public Transit is required to inform clients of their rights as they pertain to the information collected about them. Public information is information which is available to the general public; and, confidential information is the information that is not available to the public. The information we collect from them is either public or private. Public information includes the name and address of the client. All other information collected on the application is considered private.

The information required from clients is used for the following purposes:

- To distinguish them from other clients by the same or similar name.
- To determine their eligibility for services provided by Rochester Public Transit.
- To make reports, do research and evaluate our program.
- To investigate reports of persons who may receive services fraudulently.

Clients are not required to provide the information. However, if they do not supply the required information, Rochester Public Transit will not be able to determine their eligibility for services.

9.2 Dissemination of Data to Protection and Advocacy Systems

Rochester Public Transit adheres to Minnesota Statute 13.89, Government Data Practices, regarding the dissemination of data to protection and advocacy systems. The dissemination and use of the private data collected is limited to that necessary for the administration and management of the program. Persons or agencies with whom this information may be shared include:

1. City of Rochester department personnel are involved in determining client eligibility, or administering the program in connection with which the applicant is submitted.
2. Olmsted County departmental personnel involved in the program.
3. City Council members (only information needed to approve the application).
4. Federal, State, County and local and contracted public auditors.
5. Law enforcement personnel, only in cases of suspected fraud related to the applications.
6. Those individuals or agencies to whom they give their express written permission.
7. The bus service company and its employees.
8. The Subcommittee on ZIPS Eligibility of the Citizens Advisory on Transit to review cases of contested eligibility.
9. Medical, mental health and social service agencies listed by the client as a reference.
10. Guardians or other legal custodians or conservators (if they have one).

Data on clients and residents of facilities or programs licensed pursuant to Minnesota Statutes 144, 245A, and 252, subdivision 2, may be disseminated to the protection and advocacy system established in this state pursuant to Part C of Public Law Number 98-527 to protect the legal and human rights of persons with mental retardation or other related conditions who live in residential facilities or programs for these persons if:

1. The protection and advocacy system receives a complaint by or on behalf of that person; and
2. The person does not have a legal guardian or a designee of the state is the legal guardian of the person.

Data on an individual who has significant mental illness or emotional impairment and who is an inpatient or resident in a facility rendering care or treatment may be disseminated to the protection and advocacy system established in this state pursuant to Public Law Number 99-319 to protect the rights of mentally ill individuals if:

1. The protection and advocacy system receives a complaint by or on behalf of the person or there is probable cause to believe that the person has been subjected to abuse or neglect, as defined in Public Law Number 99-319;

2. The person is by reason of a mental or physical condition unable to authorize the system to have access to data; and
3. The person does not have a legal guardian or the state is the legal guardian of the person.

Unless otherwise authorized by state statutes or federal law, other governmental agencies utilizing the reported private data must also treat the information as private.

They may wish to exercise their rights as contained in the Minnesota Government Data Practices Act. These rights include:

1. The right to see and obtain copies of the data maintained on them.
2. The right to be told the contents and meaning of the data.
3. The right to contest the accuracy and completeness of the data.

10.0 STATE AND FEDERAL REGULATIONS & AUTHORITY TO SUSPEND OR CHANGE POLICIES

10.1 Precedence of State and Federal Regulations

Changes in State and Federal regulations relating to operation of service shall take precedence over these policies.

10.2 Authority of the Rochester Public Transit to change or suspend policies.

The Director of the Rochester Public Transit is authorized to amend or suspend these policies and/or establish new policies as needed with the exception of Sections 2.1, 2.2, 2.3, 3.1, 3.2 and 3.3. Any changes affecting Sections 2.1, 2.2, 2.3, 3.1 and 3.3 shall first be approved by the Common Council of the City of Rochester, Minnesota. Any permanent changes to other sections shall be reported to the City Council on an annual basis.

Rochester Public Transit Note:

The omission of any item from this policy guide shall not exclude the operator from any responsibility and/or requirements included in Rochester Public Transit's Operator Contract, Specifications for ZIPS, or Vehicle Maintenance Procedures Manual.