



August 16, 2002

Metropolitan
Transportation
Authority

One Gateway Plaza
Los Angeles, CA
90012-2952

TO: BOARD OF DIRECTORS

THROUGH: ROGER SNOBLE
CHIEF EXECUTIVE OFFICER

FROM: JOHN B. CATOE, JR.
DEPUTY CHIEF EXECUTIVE OFFICER

SUBJECT: QUARTERLY REPORT - ACCESSIBLE SERVICE
COMPLIANCE

ISSUE

This quarter report details the service provided to the mobility-impaired bus patrons using MTA fixed route service, including service provided by MTA contracted bus services covering April 1, 2002, through June 30, 2002. The Authority contracts with CDSNet, Inc. (CDSNet), a third party contractor, to monitor and report ADA compliance according to the provisions of the settlement agreement with the Americans Civil Liberties Union (ACLU) regarding service provided to mobility-impaired bus patrons.

During this quarter, MTA recorded boarding 36,313 mobility-impaired customers. Also recorded were 619 pass-ups when the first available bus did not provide transportation due to either equipment failure or other operational problems. These pass-ups exclude those situations when customers were not boarded because the bus was full or otherwise lacked capacity, as defined in paragraph 2, page 9, lines 4-5 of the settlement agreement.

The MTA provided records to the ACLU for the quarter pertaining to 225,335 bus assignments from both the MTA divisions and our MTA contracted bus services.

The CDSNet results for the quarter are reflected on Attachment 1.

The compliance percentages resulting from observations made by CDSNet exceeded minimum expectations and therefore did not result in any fines.

BACKGROUND

In January of 1998, the ACLU, on behalf of Larry Beauchamp, Stephen Koonz, Rick Perkins, LaJuana Drew Perkins, and Robert Wargo, mobility-impaired patrons, filed a class action lawsuit against the Authority to improve the standards for maintenance and operation of wheelchair lifts and other ADA-related devices onboard buses operated by LACMTA and its contractors. The MTA Board approved the Injunctive Settlement Agreement on August 9, 2000, with the Federal Court issuing the agreement on January 10, 2001. The agreement establishes the level of maintenance and operation of ADA-related equipment such as wheelchair lifts, ramps, lift-doors, and securement devices and standards for on-street performance.

NEXT STEPS

This report details the results of the fourth quarter of mandated ADA Compliance monitoring. The MTA has five remaining quarters in the agreement, which is scheduled to terminate on October 10, 2003, provided that all terms and conditions of the agreement are met by the end of the term. The next board box item detailing compliance percentages and service provided to the mobility-impaired community is scheduled to be released by November 15, 2002, and will cover the period of July 1, 2002, through September 30, 2002.

The data received from CDSNet is carefully reviewed and investigated by the ADA Compliance Team in Transit Operations. This team identifies Operators who are complying with ADA law and MTA policies and performed well in undercover observations made by CDSNet. The team also identifies Operators that were reportedly not following MTA policies and further investigates and initiates disciplinary action where applicable to enforce ADA law and MTA policies.

Attachment 1

DATA RECEIVED FROM CDSNet INC.
 ADA Compliance Percentages from April 1, 2002, through June 30, 2002

MTA Compliance Percentages Based on 608 Observations	
Percentage Category	Compliance Percentages
(i) Bus Stopping Percentage	100 % or 608 of the 608 total attempted boardings
(ii) Working Lift Percentage	99% or 596 of 602 of the attempted lift actuations
(iii) Securement Percentage	100% or 596 of 596 actual boardings when securement devices were observed to be in working order in one location on the bus.

COMPLIANCE STANDARDS AND FINES REFERENCE CHART

Fines Established in the Injunctive Settlement Agreement	
Percentage	Fines Assessed
(i) Bus Stopping Percentage	The fine is \$10,000 if the percentage is less than 91.25%. The fine is \$30,000 if the percentage is less than 86.25%.
(ii) Working Lift Percentage	The fine is \$10,000 if the percentage is less than 92.5%. The fine is \$30,000 if the percentage is less than 87.5%.
(iii) Securement Percentage	The fine is \$10,000 if the percentage is less than 92.5%. The fine is \$30,000 if the percentage is less than 87.5%.