



MAY 10, 2002

Metropolitan  
Transportation  
Authority

One Gateway Plaza  
Los Angeles, CA  
90012-2952

**TO:** BOARD OF DIRECTORS

**THROUGH:** ROGER SNOBLE  
CHIEF EXECUTIVE OFFICER *[Signature]*

**FROM:** JOHN B. CATOE, JR. *[Signature]*  
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 January 1, 2002, through March 31, 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 33,484 mobility-impaired customers. Also recorded were 653 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 218,619 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 six 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 July 30, 2002, and will cover the period of April 1, 2002, through June 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 January 1, 2002, through March 31, 2002

MTA Compliance Percentages Based on 603 Observations	
Percentage Category	Compliance Percentages
(i) Bus Stopping Percentage	99.7 % or 601 of the 603 total attempted boardings
(ii) Working Lift Percentage	98.8% or 590 of 601 of the attempted lift actuations
(iii) Securement Percentage	99.7% or 583 of 590 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%.