



NOVEMBER 27, 2001

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 July 1 through September 30, 2001. 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 32,016 boardings for our mobility-impaired customers. This is an 11% increase in the number of mobility-impaired customers served over the previous quarter. Also recorded were 665 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 provides records to the ACLU for the quarter pertaining to 214,636 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 second quarter of mandated ADA Compliance monitoring. The MTA has eight 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 February 28, 2002 and will cover the period of October 1, 2001 through December 31, 2001.

It is the goal of the MTA to continue to use independent monitoring to emphasize and train Operators concerning their responsibility to ask every boarding passenger who uses a wheelchair whether he/she needs assistance in either reaching the securement location or in the use of the securement devices. Operators are required to provide such help if requested (Rule 7.02).

The data received from CDSNet is carefully reviewed and investigated by the ADA Compliance Team in Transit Operations. This team identifies Operators that 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 July 1 through September 30, 2001

MTA Compliance Percentages Based on 621 Observations	
Percentage Category	Compliance Percentages
(i) Bus Stopping Percentage	99.5 % or 618 of the 621 total attempted boardings
(ii) Working Lift Percentage	98.9% or 611 of 618 of the attempted lift actuations
(iii) Securement Percentage	99.5% or 601 of 604 actual boardings when securement devices were not 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%.