



OCTOBER 12, 2001

Metropolitan
Transportation
Authority

One Gateway Plaza
Los Angeles, CA
90012-2952

TO: BOARD OF DIRECTORS

THROUGH: ROGER SNOBLE *R.S.*
CHIEF EXECUTIVE OFFICER

FROM: JOHN CATOE *J. Catoe*
DEPUTY CHIEF EXECUTIVE OFFICER

SUBJECT: QUARTERLY REPORT - ACCESSIBLE SERVICE
COMPLIANCE

ISSUE

This quarterly report details the service provided to the mobility-impaired bus patrons using MTA fixed route service, including service provided by MTA Contract Service Providers covering April 1 through June 30, 2001. The Authority also 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 ACLU regarding service provided to mobility-impaired bus patrons.

During the quarter, MTA recorded 210,924 bus assignments from both MTA divisions and Contract Service Providers' divisions. Within this number, the MTA recorded bus service to 28,875 mobility-impaired bus patrons. Also recorded were 832 pass-ups when the first available bus did not provide transportation due to either equipment failure or other operational problems, excluding those situations when patrons 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 results of the first quarter of monitoring conducted by CDSNet are indicated on Attachment 1. It is significant to note that during the first quarter of monitoring, CDSNet exceeded the required observations of 690, but has provided an analysis of the total number of observations along with the required analysis of 690 observations.

During the quarter, the compliance percentages exceeded minimum expectation 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.

Since the implementation of the Injunctive Settlement Agreement, the MTA has organized an ADA Compliance Team in Transit Operations to investigate CDSNet reports and customer complaints received by Customer Relations, and to conduct random undercover ADA compliance checks. The Authority has also updated Operator training to emphasize rules and procedures pertaining to ADA compliance and the settlement agreement, including the production of an ADA Video.

NEXT STEPS

This report details the results of the first quarter of ADA Compliance monitoring. The agreement requires a total of ten calendar quarters of ADA monitoring, 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 30, 2001.

It is significant to note that in the first quarter of reporting under the agreement, the Authority performed exceedingly well in relation to the required compliance standards. However, findings submitted by CDSNet suggest that the MTA has room for improvement, and should have as a goal the achievement of excellence in the service provided by Operators with respect to their obligation to offer and provide securement assistance.

The MTA will continue to use independent monitoring to focus its efforts 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 securement devices. Operators are required to provide such help if requested (Rule 7.02). Internal communications and training are emphasizing the issue with Operators.

The MTA will continue to promote the ADA Accessible Service recognition program that is a part of the Bus Operator Recognition Program. Operators are recognized for the number of mobility-impaired patrons that are successfully boarded. With the Recognition Program and other communiqué, it is the goal of Transit Operations to increase the number of Operators offering and providing assistance to mobility-impaired patrons.

Attachment 1

DATA RECEIVED FROM CDSNet INC.
 ADA Compliance Percentages from April 1 through June 30, 2001

MTA Compliance Percentages Based on 690 Monitorings	
Percentage Category	Compliance Percentages
(i) Bus Stopping Percentage	98.6 % or 680 of the 690 total attempted boardings
(ii) Working Lift Percentage	97.6% or 654 of 670 of the attempted lift actuations
(iii) Securement Percentage	98.8% or 646 of 654 actual boardings when securement devices were noted in one location.

MTA Compliance Percentages Based on 809 Monitorings	
Percentage Category	Compliance Percentages
(i) Bus Stopping Percentage	98.6% or 798 of the 809 total attempted boardings
(ii) Working Lift Percentage	96.9% or 762 of the 786 of the attempted lift actuations
(iii) Securement Percentage	99% or 754 of the 762 successful boardings when securement devices were noted in one location

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%.