

# ALTERNATIVE TRANSPORTATION

IN THE NATIONAL PARKS

**NATIONAL PARK SERVICE**  
**Guide for Accessible**  
**Transportation Systems**

## Table of Contents

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- [Introduction](#)
- [Fact Sheet](#)
- [Technical Provision for Transportation Services](#)
- [Training of Staff](#)
- [Sources of Further Information](#)
- [Images of Accessible Vehicles](#)

# Guide for Accessible Transportation Systems

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## INTRODUCTION

All federal agencies, state and local agencies, and all entities providing services to the public are required by federal law to ensure that all programs, facilities and services are accessible to and usable by individuals with disabilities. These laws include the Architectural Barriers Act of 1968, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.

NPS Policy, as articulated in Directors Order #42, Accessibility for Visitors with Disabilities in National Park Service Programs and Services also requires the provision of access for persons with disabilities. Section II, Goals and Objectives states the following:

"It is the goal of the NPS to ensure that all people, including the estimated 54 million citizens with disabilities, have the highest level of accessibility that is reasonable to our programs, facilities and services in conformance with applicable regulations and standards. Accordingly, the NPS will seek to provide that level in the planning, construction, and renovation of buildings and facilities and in the provision of programs and services to the public and to our employees. The procedures in this Director's Order give detailed guidance based on the minimum requirements set forth in laws, rules, and regulations. However, one fundamental principle of this Director's Order is that the NPS will seek to provide the highest level of accessibility that is reasonable, and not simply provide the minimum level that is required by law. Consequently, managers are encouraged to exceed the requirements for visitor accessibility through innovative techniques and partnerships whenever possible and reasonable."

The above mentioned laws and policy apply to all NPS transportation services. Consequently, all transportation facilities, and services must be provided in such a way that all individuals with disabilities can access the system and can receive the benefits of any informational services provided. All new systems and services must be designed and implemented to be accessible in their entirety. Existing services, if they are not accessible, must be modified to ensure that persons with disabilities are not denied access to the areas and facilities serviced by the transportation system. This may include altering existing vehicles, offering separate accessible vehicles, or allowing persons with disabilities to use their personal vehicles in areas otherwise closed to the public. When existing transportation vehicles are replaced, they are required to be replaced with accessible ones.

Several Federal Agencies are responsible for the oversight of making transportation services accessible. The Department of Justice has responsibilities for overseeing compliance with Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. The U. S. Access Board has responsibility for compliance with the Architectural

Barriers Act and for providing technical assistance architectural and transportation issues. And, the Department of Transportation has responsibility for overseeing the transportation provisions of all of the laws. Each of those agencies provides a wide range of technical assistance with regard to accessible transportation. Information on how to access the web sites of these agencies is presented in the resources section of this document.

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## FACT SHEET

The following fact sheet was developed by Easter Seal's Project Action and is reprinted here with their permission. Congress originally commissioned Easter Seals Project ACTION in 1988 as a research and demonstration project to improve access to public transportation for people with disabilities. With the passage of the ADA two years later, their goals expanded to help transportation operators implement the law's transportation provisions. Funded through a cooperative agreement with the U.S. Department of Transportation, Federal Transportation Administration, Easter Seals Project ACTION promotes cooperation between the transportation industry and the disability community to increase mobility for people with disabilities under the ADA and beyond. They offer various resources, as well as training and technical assistance, in an effort to make the ADA work for everyone, everyday. This fact sheet focuses on some of the key issues in making motor coaches accessible to persons with disabilities. However, the issues outlined apply equally to all transportation systems.

### *Project Action Fact Sheet*

#### **Serving Customers with Disabilities on America's Motor Coaches**

- [The ADA in Transportation](#)
- [Customers with Disabilities](#)
- [Communicating with Customers with Disabilities](#)
- [Training](#)

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The Americans with Disabilities Act (ADA) was passed on July 26, 1990, to protect the civil rights of individuals with disabilities. The ADA is comprehensive civil rights legislation that prohibits discrimination against individuals with disabilities in employment, public services, public accommodations (including transportation services) and telecommunications.

The information provided below is intended to provide some general guidelines on communicating with and assisting your customers with disabilities.

#### **The ADA in Transportation**

The transportation provisions of the ADA guarantee individuals equal access to the same services and programs that are available to the general public, in both public and private transportation services.

On September 28, 1998, the Department of Transportation issued ADA regulations for the motor coach industry. These regulations require the accessibility of new motor coaches and motor coach service to people with disabilities. Regulations for the purchase/lease of new motor coaches went

into effect on October 30, 2000 for large fixed route motor coach companies and will go into effect October 29, 2001 for small fixed route motor coach companies.

ADA regulations for delivering accessible motor coach service went into effect in October 2001 for large fixed route, charter, tour and other demand responsive motor coach companies. The regulations go into effect for small operators in October 2002. After these dates, companies must provide service in an accessible coach to a passenger who requests it and gives 48 hours' notice. Small companies may provide equivalent service, instead of acquiring accessible coaches. Equivalent service may be provided in an alternate vehicle (e.g. a van), provided that the service allows passengers to travel in their own wheelchairs.

The ADA requires that motor coach companies assist persons who use wheelchairs in getting on and off nonaccessible coaches. Boarding assistance must also be provided at rest stops. If all securement locations on the coach are occupied, additional passengers must be offered the opportunity to transfer to a seat.

## **Customers with Disabilities**

Under the ADA, one definition of a person with a disability is:

An individual with a physical or mental impairment that substantially limits one or more major life activities, such as:

- Breathing
- Seeing
- Hearing
- Speaking
- Walking
- Working
- Caring for Oneself
- Performing Manual Tasks
- Learning

Examples of protected disabilities under the ADA include: mobility limitations; blindness or visual impairments; Deaf or hard of hearing; speech impairments; cognitive impairments; mental retardation; Alzheimer's disease; traumatic brain injury; learning disabilities; epilepsy; Tourette's syndrome; mental illness, etc.

Under the Americans with Disabilities Act, it is considered discrimination for a motor coach company to:

- Deny transportation to individuals with disabilities\*
- Refuse to provide service to an individual with a disability solely because the disability results in the appearance or involuntary behavior that may offend, annoy, or inconvenience the company's employees or other persons.
- Use or request the use of persons other than employees (family members, companions, and medical/public safety personnel) for boarding or assistance to passengers with disabilities, unless the passenger requests or consents to assistance from such persons.

- Require or request a passenger with a disability to reschedule his/her trip/ travel time in order to receive transportation.
- Fail to provide reservation services to passengers with disabilities equivalent to those provided to other passengers.
- Require that a passenger with a disability use designated priority seats, if the passenger does not choose to use them.
- Require that a passenger with a disability travel with an attendant.
- Impose special charges on individuals with disabilities, including those who use wheelchairs, for providing services that are required or necessary to accommodate them. (For example: charging a group requesting an accessible coach a higher price than you would a group using an inaccessible coach).
- Refuse to serve an individual with a disability because its insurance company conditions coverage or rates on the absence of persons with disabilities.
- Fail or refuse to comply with any of the applicable ADA regulations.

## **Communicating with Customers with Disabilities**

All customers want and expect good, safe service. Customers with disabilities have the same expectations, and the ADA requires courteous and respectful treatment of persons with disabilities. Proper communication with people with disabilities is a part of good customer service. Use "people first" language. Always refer to the "person first." Examples: "person who uses a wheelchair," "person with a visual disability," etc.

### *General Guidelines for Assisting Customers with Disabilities*

A critical point to remember is that identifying a customer's disability does not tell you anything about that person's abilities. Never make assumptions about your customers.

- Treat customers with disabilities as you would like to be treated.
- Speak directly to customers with disabilities, not to their companions.
- Speak in a normal tone and speed, unless the customer requests otherwise.
- If you are asked to repeat or write what you said, do so calmly and pleasantly.
- Ask if a customer with a disability needs assistance. Don't make assumptions.
- Give customers with disabilities the same information and choices that you give any other customers.
- Keep customers with disabilities informed about what, when, where, and how they will be served.
- Make sure that other employees involved in serving customers (e.g., drivers, customer service staff, etc.) are aware of the customers and their needs.

Customers with the same disability often need different types of assistance to travel independently.

## **Training**

All motor coach company employees must be trained to meet the needs of customers with disabilities. Under the ADA, training must address the human service aspects of service delivery to individuals with disabilities and the technical operation of accessibility equipment. The ADA requires that personnel are trained to proficiency, as appropriate to their duties, so that they operate

vehicles and equipment safely and properly assist and treat individuals in a courteous and respectful way, with appropriate attention to the differences among individuals.

## TECHNICAL PROVISIONS FOR TRANSPORTATION SERVICES

The U. S. Access Board, The Department of Transportation and the Department of Justice have all issued standards and guidelines for how to make transportation facilities, vehicles and services accessible. In order for these facilities to be legally accessible they must conform to these guidelines and standards. 49 CFR Parts 27, 37 and 38 (www.Dot.gov) contains the Department of Transportation final rule implementing the transportation provisions of the Americans with Disabilities Act (ADA). The rule contains provisions on acquisition of accessible vehicles by private and public entities, requirements for complementary paratransit service by public entities operating a fixed route system, and provision of nondiscriminatory accessible transportation service. 28 CFR, Part 36, Appendix A (www.access-board.gov) contains the ADA Accessibility Guidelines for Buildings and Facilities (ADAAG). This set of guidelines contains technical provisions for the design and construction of accessible buildings and facilities, including parking spaces and transportation facilities. 43 CFR, Part 17 contains the Department of the Interior final rule for Nondiscrimination on the Basis of Disability in all of its programs and activities. It is recommended that all transportation providers become familiar with all three of these documents.

The three sets of guidelines mentioned above are very comprehensive and contain a wide range of specific technical requirements. They are far too detailed to present in this guide. However, to assist transportation managers in understanding the basic principles of accessibility, a summary of some of the most important provisions is listed below. In reviewing these provisions, please keep in mind that a person with a disability wants to utilize the transportation service just like everyone else. They also prefer to utilize the service along with their families, friends, and the rest of the public; and not in separate, segregated vehicles. When evaluating the degree of accessibility of your current system, you should review how nondisabled individuals access and utilize the service and seek to ensure that persons with disabilities have the same opportunities. For instance:

1. **Accessible Parking:** If parking is provided for passengers to park their personal vehicle, the required number of appropriately designed accessible parking spaces must be provided. Specification for the number of required accessible parking spaces are found in **ADAAG Section 4.1.2;** and provisions for the design of those spaces are found in **ADAAG, Section 4.6.**
2. **Access Route:** The individual with a disability must be able to get from the accessible parking spaces to the area where tickets are purchased or distributed, and to the area where they board the transportation vehicle. Specifications for accessible routes are found in **ADAAG, Section 4.3.**

3. **Access to the terminal and boarding area:** If a station or terminal is provided, they must be designed to be accessible and the area where the transportation vehicle is boarded must also provide the required technical provisions for accessibility. These provisions are found in **ADAAG, Section 10**. This section includes provisions for clear ground space, surface conditions, minimum clear width, and slope. It requires that the area where passengers board the bus to be a level, firm, stable, slip resistant surface; and be large enough to deploy the lift. It also requires that any support facilities associated with the facility, such as rest rooms, also be accessible.
4. **Access onto the Transportation Vehicle:** In order for an individual with a mobility limitation to successfully use the transportation service they must be able to get on and off of the vehicle and to have the necessary space to reach the seating area designed for them. Specifications for enabling persons with disabilities to get on and off of the transportation vehicle are found in **49 CFR, Part 38**. Section 38.23 of that part requires that accessible vehicles must provide a "level-change" device, such as a lift or a ramp. This section also provides specifications for the operation of the lift or ramp, the design of the platform and other factors related to the safety of the user.
5. **Securement locations and devices:** Once the person with a disability gets onto the transportation vehicle they must have the required clear floor space to reach the accessible seating spaces; and, due to the motion of the vehicle, devices must be provided to secure the individual and their mobility device to the floor. Specifications for the required space and the securement devices are found in **49 CFR Part 38, Section 38.23**. This section requires that at least one accessible securement location be provided on vehicles fewer than 22 feet in length; and at least two locations for vehicles in excess of 22 feet. This section also provides more in depth guidance on the size of the locations, the weight bearing load of the securement devices, the types of mobility devices that need to be accommodated, the amount of movement allowed by the devices, and the requirements for seat belts and harnesses.
6. **Maintenance of Equipment:** Providing accessibility to transportation vehicle will, in most instances require the utilization of mechanical devices such as lifts. When equipment fails to operate properly, accessibility is denied or greatly inhibited. Because of this, care must be taken to ensure that the equipment is well maintained, and that it is repaired in a timely manner when it does malfunction. **49 CFR, Part 37, Section 37.161** outlines this requirement. It specifically requires agencies to "maintain in operative condition" lifts, securement devices, elevators, signage, and systems to facilitate communication with visual and hearing impaired individuals. It also states that accessibility features will be "repaired promptly" if they are damaged or out of order; and when a

feature is out of order, the agency is required to take reasonable steps to accommodate the person with a disability.

7. **Educational and Interpretive Services:** If interpretive or educational services are provided as part of the transportation service, they too must be accessible to all individuals with a disability, including those who have visual or hearing disabilities. **43 CFR, Part 17** requires that The Department of the Interior operate all of its programs and activities to ensure "nondiscrimination" against individuals with disabilities. Section 17.560 requires each entity to ensure "effective communication" with all individuals with a disability and to furnish "appropriate auxiliary aides", where necessary to allow an individual with a disability an "equal opportunity to participate in and enjoy the benefits of" all programs and activities. This may include but is not limited to providing sign-language interpreters for visitors with hearing impairments, and the provision of audio, Braille, and large print versions of printed materials for those with visual or cognitive disabilities.

## **TRAINING OF STAFF**

One of the most significant problems that occurs in providing accessible transportation is the lack of awareness of what persons with disabilities need, and the specific information on how to provide it. Frequently, even when accessible services are available, they are not provided simply because staff is not aware that they are available, or they have not been trained on how to use them. Many instances have occurred where busses have been equipped with lifts, but the drivers have not known how to operate them. In other cases, passengers with disabilities have been injured because of inappropriate use of the lift equipment. The Department of Transportation has recognized the importance and significance of the need for adequate training and has provided strong requirements in **49 CFR, Part 37, Section 37.173**. Because of the importance of this issue, we have reprinted that section in its entirety.

### **Transportation Services for Individuals with Disabilities (ADA)**

#### **49 CFR , Part 37 Section 37.173**

##### **Training**

A well-trained workforce is essential in ensuring that the accessibility-related equipment and accommodations required by the ADA actually result in the delivery of good transportation service to individuals with disabilities. The utility of training was recognized by Congress as well. (See S. Report. 100-116 at 48.) At the same time, we believe that training should be conducted in an efficient and effective manner, with appropriate flexibility allowed to the organizations that must carry it out. Each transportation provider is to design a training program which suits the needs of its particular operation. While we are confident of this approach, we are mindful that the apparent lack of training has been a source of complaint to FTA and transit providers. Good training is difficult and it is essential.

Several points of this section deserve emphasis. First, the requirements for training apply to private as well as to public providers, of demand responsive as well as of fixed route service. Training is just as necessary for the driver of a taxicab, a hotel shuttle, or a tour bus as it is for a driver in an FTA-funded city bus system. Second, training must be to proficiency. The Department is not requiring a specific course of training or the submission of a training plan for DOT approval. However, every employee of a transportation provider who is involved with service to persons with disabilities must have been trained so that he or she knows what needs to be done to provide the service in the right way. When it comes to providing service to individuals with disabilities, ignorance is no excuse for failure.

While there is no specific requirement for recurrent or refresher training, there is an obligation to ensure that, at any given time, employees are trained to proficiency. An employee who has forgotten what he was told in past training sessions, so that he or she does not know what needs to be done to serve individuals with disabilities, does not meet the standard of being trained to proficiency.

Third, training must be appropriate to the duties of each employee. A paratransit dispatcher probably must know how to use a TDD and enough about various disabilities to know what sort of vehicle to dispatch. A bus driver must know how to operate lifts and securement devices properly. A mechanic who works on lifts must know how to maintain them. Cross-training, while useful in some instances, is not required, so long as each employee is trained to proficiency in what he or she does with respect to service to individuals with disabilities.

Fourth, the training requirement goes both to technical tasks and human relations. Employees obviously need to know how to run equipment the right way. If an employee will be assisting wheelchair users in transferring from a wheelchair to a vehicle seat, the employee needs training in how to do this safely. But every public contact employee also has to understand the necessity of treating individuals with disabilities courteously and respectfully, and the details of what that involves.

One of the best sources of information on how best to train personnel to interact appropriately with individuals with disabilities is the disability community itself. Consequently, the Department urges entities to consult with disability organizations concerning how to train their personnel. Involving these groups in the process of establishing training programs, in addition to providing useful information, should help to establish or improve working relationships among transit providers and disability groups that, necessarily, will be of long duration. We note that several transit providers use persons with disabilities to provide the actual training. Others have reported that role playing is an effective method to instill an appreciation of the particular perspective of one traveling with a disability.

Finally, one of the important points in training concerns differences among individuals with disabilities. All individuals with disabilities, of course, are not alike. The appropriate ways one deals with persons with various kinds of disabilities (e.g., mobility, vision, hearing, or mental impairments) are likely to differ and, while no one expects bus drivers to be trained as disability specialists, recognizing relevant differences and responding to them appropriately is extremely significant. Public entities who contract with private entities to have service provided--above all, complementary paratransit--are responsible for ensuring that contractor personnel receive the

appropriate training.

## **SOURCES OF FURTHER INFORMATION**

**U.S. Architectural and Transportation Barriers Compliance Board**

**(U.S. Access Board)**

[www.access-board.gov](http://www.access-board.gov)

**U. S. Department of Justice - ADA Home Page**

[www.ada.gov](http://www.ada.gov)

**U.S. Department of Transportation**

[www.Dot.gov](http://www.Dot.gov)

**Project Action**

[www.projectaction.org](http://www.projectaction.org)

**Disability and Business Technical Assistance Centers**

[www.adata.org/dbtac](http://www.adata.org/dbtac)

# ALTERNATIVE TRANSPORTATION IN THE NATIONAL PARKS

## Accessibility Images

### Lowell National Historical Park



### Tourmobile Sightseeing Bus (Washington, DC)



### Cuyahoga Valley National Recreational Area



**Lyndon B. Johnson National Park**



**Zion National Park**



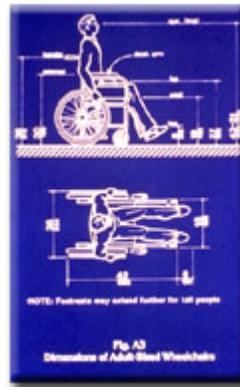
**Acadia National Park**



**Alcatraz Island**



### Wheelchair Accessibility Images



### [Disability Access Symbols](#)