



COUNTY OF DUTCHESS

DEPARTMENT OF PUBLIC WORKS
DIVISION OF PUBLIC TRANSIT

ADA Reasonable Modification Procedure

The Department of Transportation has revised its rules under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973. It now specifically provides that transportation agencies are required to make reasonable modifications to policies, practices and procedures to avoid discrimination and ensure that their programs are accessible to individuals with disabilities.

Dutchess County Public Transit is committed to providing safe, reliable, efficient, and accessible service to its customers. To ensure equality and fairness, Dutchess County Public Transit will make reasonable modifications to policies and procedures to ensure that individuals with disabilities have equal access to all of its services.

Requests for accommodations will be considered on a case-by-case basis and may be denied on one or more of the following grounds:

- Granting the request would fundamentally alter the nature of Dutchess County Public Transit's service, programs, or activities;
- Granting the request could create a direct threat to the health or safety of the requestor or others;
- Granting the request would create an undue financial or administrative burden for Dutchess County Public Transit; or
- Without such modification, the individual with a disability is otherwise able to fully use Dutchess County Public Transit's services, programs, or activities for their intended purpose.

In determining whether to grant a requested modification, Dutchess County Public Transit will be guided by the provisions of United States Department of Transportation at 49 CFR Appendix E to Part 37.169.

When choosing among alternatives for accommodations, Dutchess County Public Transit will give priority to those methods that offer services, programs and activities to qualified individuals with disabilities in the most integrated setting appropriate for the needs of the individual(s) with disabilities. In any case in which Dutchess County Public Transit denies a request for an accommodation, Dutchess County Public Transit will attempt to ensure that the individual with a disability receives the services or benefits provided by Dutchess County Public Transit by other means that conform with this procedure.

Anyone who would like to request a modification of policies or procedures in a Dutchess County Public Transit service can send their request to: Dutchess County Public Transit, Reasonable Modification, 14 Commerce Street, Poughkeepsie, NY 12603

Alternatively, please call – 845-473-8424, TDD/TTY: 711 or email us at publictransit@dutchessny.gov



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Process for Requesting Modifications/Accommodations for Individuals with Disabilities

Requests for modifications of Dutchess County Public Transit's policies, practices, or procedures to accommodate an individual with a disability may be made either in advance or at the time of the transportation service. Dutchess County Public Transit is best able to address and accommodate a request when customers make their requests for modifications in advance. The process for making a request is as follows:

Advance Requests:

- When making a request, please thoroughly describe what is needed in order for you to use the service, and why this assistance is necessary.
- Whenever feasible, a request for modification to Dutchess County Public Transit's service should be made in advance before Dutchess County Public Transit is expected to provide the service. Dutchess County Public Transit will review your request, and will make every effort to communicate in advance whether or not the requested modification can be made.
- If the modification is not made, Dutchess County Public Transit will provide the reason for the denial of the request. Requests may be denied on one or more of the following grounds:
 - Granting the request would fundamentally alter the nature of Dutchess County Public Transit's service, programs, or activities;
 - Granting the request could create a direct threat to the health or safety of the requestor or others;
 - Granting the request would create an undue financial or administrative burden for Dutchess County Public Transit; or
 - Without such modification, the individual with a disability is otherwise able to fully use Dutchess County Public Transit's services, programs, or activities for their intended purpose.

Requests may be made through the following means:

- Call (845) 473-8424.
- Email to publictransit@dutchessny.gov.
- Fax to (845) 473-8643.

Same Day Requests:

- When a request for modification cannot practicably be made and determined in advance, you may make a request on the same day, at the time of, or during service.
 - You should make your request to the bus operator.
 - Please describe in detail what accommodation you require and why it is necessary in order to use the service.
- Bus Operators may grant a request if such request is reasonable and meets the requirements of this procedure.



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- If the Bus Operator is unsure if the request can be granted or declined, she/he is required to consult with Dispatch to receive direction.
- Requests may be denied on the following grounds:
 - Granting the request would fundamentally alter the nature of Dutchess County Public Transit's service, programs, or activities;
 - Granting the request could create a direct threat to the health or safety of the requestor or others;
 - Granting the request would create an undue financial or administrative burden for Dutchess County Public Transit; or
 - Without such modification, the individual with a disability is otherwise able to fully use Dutchess County Public Transit's services, programs, or activities for their intended purpose
- Operator availability may be very limited when providing service and if the request would require extended consideration, we may not be able to grant your request immediately, and you may be encouraged to submit a written request for further consideration in future trips.
- Dutchess County Public Transit's ability to grant the requested modifications may vary by route, day of travel, time of day, or other circumstances. For example, while a request may be able to be granted in one instance, that same request may be denied in another instance if granting the request would fundamentally alter the nature of the service or create a safety threat, or if the request is not a functional necessity.
- In the case of a denial of a request, Dutchess County Public Transit will take, to the maximum extent possible and in compliance with its policies, any other appropriate actions to ensure you receive service.

Designated employee for compliance: Dutchess County Public Transit has designated the County Transit Administrator, as the employee responsible for ensuring compliance of this procedure and for administering the prompt and equitable resolution of any related complaints. Contact information is as follows:

Complaint Process and Contact Information: Complaints regarding the administration of or compliance with this procedure shall be made in writing either by letter or email addressed to the County Transit Administrator, or by completing and returning the Title VI or Discrimination Complaint Form found at: <http://www.dutchessny.gov/publictransit>.

All complaints will be handled in accordance with Dutchess County Public Transit's Title VI and Discrimination Complaint Process found at <http://www.dutchessny.gov/publictransit>. Dutchess County Public Transit will make every effort to make a prompt and equitable resolution of any complaint. Dutchess County Public Transit's response to any Title VI complaint will be in writing and will include the decision and the reason(s) therefore.