

Title: Fixed Route Bus Service with ADA Complementary Paratransit Policy	Effective Date: Council Approved 09/24/2025
Policy Classification: Tribal Wide	Function: Operations

PURPOSE:	To provide guidelines for access to Kenaitze Indian Tribe’s Kahtnu Area Transit public bus service for individuals with disabilities.
APPLIES TO:	All Kenaitze Indian Tribe employees, contractors, students, and volunteers.
DEFINITIONS:	<p><u>ADA Paratransit:</u> Refers to the Federal Transit Administration (FTA) paratransit as defined under the Americans with Disabilities Act (ADA), is a complimentary service to fixed-route public transportation designed to provide transportation to individuals with disabilities who, due to their disabilities, cannot utilize the regular bus or rail system. This service must be comparable to the level of service provided to those using fixed-route transportation, including operating during the same days and hours.</p> <p><u>Disability:</u> Refers to an individual with a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.</p>
POLICY STATEMENT:	The Kenaitze Indian Tribe and Kenaitze Indian Tribe’s Kahtnu Area Transit shall comply with all the legal requirements of federal and state laws and regulations as they pertain to individuals with disabilities. If state laws and federal regulations are contradictory, the federal ADA regulations prevail. The transit system provides quality transportation services without discrimination to all persons including individuals with disabilities. Discrimination on the basis of disability against any person by transit system employees will not be condoned or tolerated.
REFERENCES:	Americans With Disabilities Act of 1990 49 Code of Federal Regulations Part 37 Fixed Route Bus Service with ADA Complementary Paratransit Procedure
CONTACT:	If assistance or additional information about the policy is required contact the Tribal Programs Director.
RIGHT TO CHANGE:	The Tribal Council, in its sole discretion, may amend or rescind this policy, in whole or in part, at any time without notice.
POLICY HISTORY:	Origination Date: 09/24/2025

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	<p><u>Service Animal:</u> Refers to any guide dog, signal dog, or other animal that has been individually trained to work or perform tasks for an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.</p> <p><u>Wheelchair:</u> Refers to a mobility aid belonging to any class of three- or more- wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered.</p>
<p>PROCEDURE:</p>	<p>The Kenaitze Indian Tribe’s Kahtnu Area Transit (KITKAT) shall comply with the following federal and state laws and regulations as they pertain to individuals with disabilities. If state laws and federal regulations are contradictory, the federal ADA regulations prevail.</p> <ul style="list-style-type: none"> A. KITKAT shall: Provide safe, accessible, and dignified services to all persons, including individuals with disabilities. B. KITKAT shall: Ensure that eligible individuals who are unable to board, ride or disembark from the fixed route service are provided complementary paratransit with comparable service availability and quality to the fixed route service. C. KITKAT shall: Expedite the safe and efficient boarding, securing, transporting, and alighting of all passengers, regardless of mobility status. D. KITKAT shall: Accommodate the wide range of mobility aids within the confines of available vehicles and commercial standard equipment. <p><u>General Guidance and Procedures</u></p> <p><u>Facility and Vehicle Accessibility:</u> The transit system administrative facility, passenger facilities and vehicles shall meet or exceed the requirements of 49 CFR Parts 27, 37 and 38 and requirements of the State of Alaska. If state requirements do not meet federal requirements, the federal ADA regulations prevail. All vehicles purchased for fixed route and route deviation service will be accessible. Vehicles purchased for demand response service will only be non-accessible to the extent that the demand response system, when viewed in its entirety, provides the same level of service for individuals with disabilities as for individuals without disabilities. The transit system will conduct an analysis of service equivalency prior to the acquisition of any inaccessible vehicles for demand-responsive service.</p>

Vehicle and Route Assignment: To the extent possible, the assignment of particular types of vehicles will be based upon rider needs. All vehicles assigned to fixed routes and deviated routes will be accessible.

Maintenance of Accessible Features: Accessibility features on vehicles, including lifts, ramps, wheelchair securement devices and public address systems, will be maintained in operative condition. The preventive maintenance program of Kenaitze Indian Tribe provides for regular and frequent maintenance checks of these features as well as preventive maintenance as recommended by the equipment manufacturers. In addition, the lift must be cycled as part of each pre-trip inspection. Drivers are required to report lift or ramp failures immediately. Vehicles with inoperative lifts or ramps will be removed from service and replaced with an accessible vehicle until the inoperative lift or ramp is repaired.

Wheelchair Accommodation: All accessible vehicles meet or exceed the requirements of [49 CFR Part 38](#). Transportation providers are required to carry a wheelchair and its user, as long as the lift can accommodate the size and weight of the wheelchair and its user, and there is space in the securement area for the wheelchair on the vehicle without blocking the aisle. If a vehicle lift/ramp and securement area can accommodate a wheelchair (or other mobility device), Kenaitze Indian Tribe will transport the device (and its user). An individual who uses a wheelchair that, when occupied, exceeds the weight rating of the vehicle lift/ramp, will be offered the opportunity to board and disembark from the vehicle separately from the wheelchair. However, KIT personnel are not permitted to operate a passenger's wheelchair. The individual may travel with another individual who can assist with operating the unoccupied wheelchair to maneuver it on and off the lift/ramp.

Boarding: Drivers and scheduling practices will provide adequate time for a passenger with a disability to board and/or disembark the vehicle, which includes adjusting the schedule if necessary and waiting for passengers to be seated before moving the vehicle. Only a properly trained transportation employee can operate the lift or ramp and secure the wheelchair in the securement station. Passengers may board facing toward or away from the vehicle.

Priority Seating: With the exception of the wheelchair securement stations, the transit system does not require any passenger to sit in designated seating. Priority seating for seniors and individuals with disabilities is to be designated by permanent signage in each vehicle. In cases where an individual with a disability requests use of priority seating that is currently occupied by another passenger, the driver will ask that passenger to move so as to allow the individual with a disability use of the priority seating. In cases where a wheelchair user requires the use of a securement location, the driver will ask any passenger (including other passengers with disabilities) to vacate the securement location.

Driver Assistance: Drivers will make themselves available for assistance to individuals with disabilities and will assist upon request of the passenger. Drivers will leave their seat to assist a passenger with using the vehicle ramp, lift and/or securement system. Drivers will use the accessibility-related equipment and features on their vehicles as described in these policies.

Wheelchair Securement:

Kenaitze Indian Tribe does not require that wheelchairs be secured on board the vehicle. However, the driver will secure a passenger's wheelchair if requested by the passenger.

Securement of wheelchairs is the responsibility of the driver. Drivers are trained in the proper operation of all securement equipment based on the equipment manufacturer's specifications. Drivers will listen to and respect riders' instructions on how to secure their equipment. Drivers cannot be expected to be familiar with each and every wheelchair type that may come aboard, and securement attachment points may differ by wheelchair manufacturer. The rider may be in the best position to instruct the driver on how to properly secure their mobility device.

If the securement system is not compatible with the wheelchair the passenger is using, the driver will still make an attempt to safely secure the wheelchair. If the wheelchair cannot be secured because of the wheelchair design, the passenger still has the right to ride in the vehicle.

Drivers must secure wheelchairs in the designated securement area only, even if the passenger wants their mobility device to be secured in a non-designated area. The wheelchair is not allowed to block the aisle.

In cases where an individual using a wheelchair attempts to board and requires use of a securement location that is currently occupied by another passenger that is not using a wheelchair, the driver will ask that passenger to allow the individual using a wheelchair to use the securement position.

Use of Lift or Ramp by Individuals with Disabilities Not Using a Mobility Device: The driver will deploy the lift or ramp for an individual with a disability who is not using a mobility device to board or alight the vehicle upon request.

Accommodation of Other Mobility Devices: Mobility devices that are not wheelchairs, but which are primarily designed to for use by individuals with mobility impairments, will be accommodated to the extent that the ADA-compliant lift or ramp and securement areas can safely do so. However, these devices are the responsibility of the individual passenger, and must be secured in a manner that does not interfere with the safe operation of the vehicles and the transport of other passengers.

Transfer to Fixed Seating: All passengers using wheelchairs have an option of transferring to fixed seating once on board the vehicles. Drivers may recommend, but never require, wheelchairs users to transfer to fixed seating. No waivers are allowed to be required.

Accommodation of Portable Oxygen: Individuals are allowed to travel with respirators and portable oxygen supplies on board, consistent with applicable U.S. DOT rules on the transportation of hazardous materials in [49 CFR Subtitle B, Chapter 1, Subchapter C](#).

Service Animals: In compliance with [49 CFR Part 37](#), the transit system allows trained service animals to accompany passengers with disabilities. The driver will not ask for proof of the qualifications of the animal but may ask what tasks the animal has been trained to perform. However, any animal which is not under the passenger's control or which becomes a direct threat to the health or safety of other passengers may be restricted from riding. Animals, including emotional support animals, which do not meet the ADA definition of a service animal are not permitted on vehicles.

Board/Disembark: It is the responsibility of the driver to determine that the location for passenger to board or de-board is safe. For fixed route, the driver will allow a passenger who uses the lift or ramp to board or de-board at any stop, unless the lift or ramp cannot be deployed, will be damaged if deployed, or conditions at the stop would present unsafe conditions for all passengers. Only the driver will unsecure the wheelchair and operate the lift or ramp to return the passenger to the ground level.

Staff Training: All drivers and transit system staff are trained to proficiency in use of accessibility equipment, the operating policies related to each of the service requirements described, and in properly and respectfully assisting and treating individuals with disabilities with sensitivity. Mechanics are also trained to properly maintain lifts and other accessibility equipment.

Rider Information: All printed informational materials are made available in accessible formats upon request, for example, large print for individuals with low vision or audio for blind individuals, as well as accessible electronic formats.

Complaint Procedure: All complaints of discrimination on the basis of disability will be promptly and objectively investigated and forwarded to the Quality, Compliance, and Privacy Department to coordinate the Tribe's compliance with [49 CFR Part 37](#). Kenaitze Indian Tribe will promptly communicate its response to the complaint allegations, including its reasons for the response, to the complainant. The response will be documented. Corrective or disciplinary action will be taken for behavior prohibited by this policy, up to and including termination of employment. Documentation of each complaint will be kept on file for 5 years.

Reasonable Modification of Policy: If a passenger with a disability requires modification of any of Kenaitze Indian Tribe's policies and practices to accommodate their disability to use the service, the passenger may request such a modification by contacting the Transportation Manager or designee. The transit system will work with the individual to find an acceptable accommodation solution.

Where a request for modification cannot practicably be made and determined in advance, operating personnel will make a determination of whether the modification should be provided at the time of the request. Operating personnel may consult with Kenaitze Indian Tribe management before making a determination to grant or deny the request.

Requests for modification of policies and practices may be denied only on one or more of the following grounds:

- Granting the request would fundamentally alter the nature of Kenaitze Indian Tribe's services, programs, or activities;
- Granting the request would create a direct threat to the health or safety of others;
- Without the requested modification, the individual with a disability is able to fully use the transportation services, programs, or activities for their intended purpose.

In any case in which Kenaitze Indian Tribe denies a request for a reasonable modification, the agency shall take, to the maximum extent possible, other actions (that would not result in a direct threat or fundamental alteration of service) to ensure that the individual with a disability receives the services or benefit provided by transit system program.

Eligibility Criteria: The certification process strictly limits ADA complementary paratransit eligibility to the regulatory definition of eligibility. Only those persons who meet the regulatory definition will be given documentation indicating that they are "ADA Paratransit Eligible." A person will be considered eligible for ADA complementary paratransit if:

- The individual is unable, as the result of a physical or mental impairment (including a vision impairment), and without assistance of another individual (except the operator of a wheelchair lift/ramp or other boarding assistance device), to board, ride, or disembark from any vehicle on the system which is readily accessible to and usable by individuals with disabilities.
- The individual with a disability is capable of using the system with the assistance of a wheelchair lift/ramp but the route they want to use is not sufficiently ADA accessible for the individual to use it.
- The individual with a disability has a specific impairment-related condition, which prevents such individual from traveling to a fixed route boarding location or from a disembarking location.

Temporary eligibility for ADA complementary paratransit service will be allowed for those with a disability that is only temporary in nature. Temporary eligibility is established during the certification process.

In addition, if individuals who are determined to be ADA complementary paratransit eligible can use fixed route service under certain conditions (for example, trips for which they have been trained to navigate or under variable conditions that affect an individual's disability), the eligibility will be considered "Conditional" and documentation which they are given will indicate the limitations/condition of their eligibility.

Application Form: A copy of the application form used for Kenaitze Indian Tribe's ADA complementary paratransit service is available at Kenaitze Indian Tribe's Kahtnu Area Transit Office.

Review Process and Time Frame: Upon receipt of a completed application, Kenaitze Indian Tribe will review the application and determine the individual's eligibility within 21 days of receipt. This responsibility has been assigned to the Transportation Manager or designee. If a determination is not made within 21 days, the applicant is treated as eligible and will receive service until such time as a determination of eligibility is made.

Notification of Eligibility: Each applicant will be notified in writing by mail of their status within 21 days of submitting a properly completed application. If determined eligible, this letter will serve as temporary eligibility documentation as described below. The procedures for using ADA complementary paratransit will also be mailed with this letter in a format useable by the individual (such as large print, audio, or electronic file).

Those persons determined to be ineligible will be provided with specific information as to why their application was rejected and instructions on how they can appeal the decision (described below). This information will also be mailed with this letter in a format useable by the individual.

Documentation: The Kenaitze Indian Tribe will provide certified individuals with documentation that can be used as identification for reciprocal eligibility for ADA complementary paratransit service in other areas of the communities in the United States. This documentation will include the following information:

- Name of eligible individual
- Name of certifying transit provider – Kenaitze Indian Tribe
- Telephone number of the Kenaitze Indian Tribe Transportation Manager or designee
- Whether or not the rider requires use of a lift or ramp
- Expiration date
- Any conditions or limitations on eligibility
- Whether person travels with a PCA

- Information on the appeal process if the individual is denied eligibility or has conditions placed on eligibility.

Term of Eligibility: Once determined eligible, a person maintains eligibility for 2 years. Recertification is required every 2 years. Persons given temporary eligibility remain eligible for the duration of time of the temporary disability, as determined through the certification process and indicated in the documentation that is to be provided to the applicant.

ADA Complementary Paratransit Service for Visitors: ADA complementary paratransit eligible individuals visiting from other localities outside of the system's service area will also be served when eligible trips are requested. The visiting individual's local certification will be honored by Kenaitze Indian Tribe. If a visitor does not have ADA complementary paratransit certification from another jurisdiction, but makes a claim of eligibility, that claim will be honored as required by the ADA. However, in such cases, Kenaitze Indian Tribe reserves the right to require proof that the individual is not a local resident, and if the individual has a disability which is not apparent. Service to visitors is limited to 21 days during any 365-day period beginning with the visitor's first use of the service during that period. Visitors who anticipate requiring service for more than 21 days in a 365-day period must apply for eligibility.

Personal Care Attendants: Kenaitze Indian Tribe will provide ADA complementary paratransit service for a personal care attendant (PCA) traveling with the eligible rider. The need to travel with a PCA will be determined by the applicant and noted as part of the eligibility determination process. It is important to note that the PCA may not directly be needed for transportation but may be needed at the individual's trip destination (for example, to assist with grocery shopping) and thus need for a PCA will not be limited to those individuals who require assistance in traveling. An individual who is certified as needing a PCA cannot be denied service if they chose to travel without a PCA, and may not be required to travel with the same PCA for every trip.

Service Characteristics and Operating Policies: ADA complementary paratransit is comparable to Kenaitze Indian Tribe's fixed route system (excluding commuter bus routes), based on the following service characteristics and operating policies.

Geographic Service Area: ADA complementary paratransit is provided within a three-quarter mile radius corridor surrounding each fixed route, plus relatively small areas enclosed by fixed routes.

Days and Hours of Service: ADA complementary paratransit is provided within the same days and hours as the fixed route services.

Fares: KITKAT fare sheet shall always be found on KITKAT's website. Individuals can request a current fare sheet and shall be provided upon requested upon request.

If the ADA complementary paratransit-eligible individual travels with a PCA, the PCA will not be charged a fare for ADA complementary paratransit.

Trip Purpose: ADA complementary paratransit is provided for trips of any purpose; no priorities are placed on specific types of trips.

Trip Scheduling and Response Time: Reservations are accepted for ADA complementary paratransit trip reservations on a next-day basis, until regular close-of-business hours. Riders may schedule trips by calling the Kenaitze Indian Tribe's office Monday through Friday to schedule trips for the next service day.

Service Capacity and Scheduling Flexibility: As required, Kenaitze Indian Tribe will provide adequate capacity to meet all demand for eligible ADA complementary paratransit trips. In some cases, it may be necessary to negotiate trip times with the rider; however, in no case will any trip be scheduled more than one hour before or after the rider's desired time (that is, a trip requested for 11:00 a.m. may be scheduled as early as 10:00 a.m. or as late as 12:00 noon).

In order to meet the ADA requirement for ensuring adequate capacity, Kenaitze Indian Tribe will monitor the following indicators of capacity to ensure that no patterns or practices of capacity constraints are found:

- On-time performance – Kenaitze Indian Tribe measures on-time performance according to vehicles that arrive within a promised thirty (30) minutes “window” of time. A vehicle that arrives within this “window” is considered on-time.
- Trips with excessive lengths – Kenaitze Indian Tribe monitors travel times on ADA complementary paratransit to ensure comparability to the same or comparable trip if taken on fixed route.

Companions: An ADA complementary paratransit rider is permitted to travel with at least one companion (and more than one on a space-available basis). Companion passengers pay the same fare as ADA riders. The eligible ADA rider shall reserve space for the companion(s) when the rider reserves the ride. Any companions traveling with the eligible individual must share the same trip origin and destination as the eligible individual. The companion is in addition to any PCA with which the rider may travel.

Origin-to-Destination Service and Passenger Assistance: ADA complementary paratransit services will be provided on a curb-to-curb basis. Kenaitze Indian Tribe drivers will assist ADA complementary paratransit riders with boarding and disembarking from vehicles and in securing their mobility devices. All drivers who operate ADA complementary paratransit services will be proficiently trained in passenger assistance and sensitivity towards individuals with disabilities.

	<p>Riders will be required to travel to the curb outside of their trip origin in time for their scheduled pick-up. Riders who require additional assistance in the form of door-to-door service in order to use the ADA complementary paratransit may request a modification of this policy by contacting the Transportation Manager or designee.</p> <p>The staff of Kenaitze Indian Tribe will not lift a passenger, leave a vehicle unattended or out of visual observation for a lengthy period of time, enter a rider's home, care for service animals, operate a power wheelchair, provide personal care attendant (PCA) service, or take actions that would be clearly unsafe. If more extensive assistance is needed by the individual than Kenaitze Indian Tribe can provide as a provider of public transportation, the individual will be responsible for arranging personal assistance. Staff of Kenaitze Indian Tribe will work with the individual and/or the rider's caregiver/social worker to clarify parameters of the assistance provided by the driver and formally document this in a letter sent to the individual.</p> <p><u>No Show Process:</u> After the rider's first no show, staff will call to let rider know that they were a no show for their pickup and remind them of the no show process. On the rider's second no show, staff will email (if on file) and/or mail a tracked letter that states the no show process and inform them that one more no show would lead to rider privilege suspension for 30 days. On the rider's third no show, staff will email or mail a tracked letter to notify them of suspension, citing the process and noting the two prior warnings, and the dates of suspension. If a no show occurs after a prior suspension, staff will email (if on file) and/or mail a tracked letter notifying the rider of an additional 30 day suspension. If a no show occurs after a second suspension, the rider's case will be reviewed on case by case basis to determine what actions to take, including additional suspension up to permanent termination of ridership.</p>
REFERENCES:	Fixed Route Bus Service with ADA Complementary Paratransit Policy Americans With Disabilities Act of 1990 49 Code of Federal Regulations Part 37 49 CFR Subtitle B, Chapter 1, Subchapter C
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