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# PHENIX CITY EXPRESS (PEX) Passenger Guide

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**Effective July 2019**

Lee-Russell Council of Governments

2207 Gateway Drive

Opelika, AL 36801

Phone: (334)749-9092

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[www.lrcog.com](http://www.lrcog.com)

\*LRCOG uses FTA funds to assist in the operation of our transit system.

## INTRODUCTION

The PEX Paratransit Passenger Guide will provide helpful information to you regarding the PEX's Complementary ADA Paratransit Service. We encourage you to take advantage of the Phenix City Express's convenient paratransit service. Whether you are a frequent user or a new rider, we continually strive to give you safe and reliable transportation. We have developed these procedures and guidelines over many years based on the changing needs of the passengers and our operation. This document also incorporates the Americans with Disabilities Act (ADA) as well as many additional Federal and State guidelines.

The PEX paratransit service offers origin to destination service (curb to curb) to individuals whose disabilities will not allow them to use the PEX Fixed Route. When scheduling a ride, please inform us of your special needs, and we will gladly arrange a bus to accommodate you. The driver can assist the passenger into vehicle from the curb if needed. However, if further assistance is needed beyond the curb, please inform the scheduler when you make the appointment or the driver after the trip has begun that additional assistance is required so accommodations can be provided. The driver is NOT allowed to enter the home, garage or office building where the passenger is picked up or dropped off.

PEX Paratransit has vehicles that are handicapped accessible and also allow service animals. The PEX Paratransit Service operates within a  $\frac{3}{4}$  mile radius of the PEX Fixed Route as well as in additional areas within the City limits of Phenix City and Columbus. If you have questions or need additional information about the PEX Paratransit, you may call 1-877-743-3739 (1-877-Ride PEX). Thank you for riding the PEX Paratransit Service.

### HOW TO BECOME A PARATRANSIT RIDER

1. For PEX call 1-877-743-3739 (1-877-Ride PEX) to obtain a Paratransit certification form.
2. Have your physician complete the certification form. The certification must be complete including the physician's license number and signature. This form will help us determine your specific transportation needs so make sure that the physician certifies your disability and what disability prevents you from using the regular bus.
3. Send your completed certification form to: Lee-Russell Council of Governments, 2207 Gateway Drive, Opelika, AL 36801.
4. Once we have received your certification form you will be notified in writing within 15 days regarding your eligibility.
5. On a pre-determined basis, you will be required to have your doctor recertify you to use the Paratransit service. A form will be mailed to you for recertification.
6. Remember, if we do not have a completed form in our office, you will not be able to use the Paratransit service.

**SERVICE AREA:** The PEX Paratransit Service operates within a ¾ mile radius of the PEX Fixed Route as well as additional areas within the City limits of Phenix City and Columbus. The system operates Monday through Friday, except on holidays, from 8:00 AM to 4:00 PM EST.

**SERVICE HOURS:** 8:00 AM – 4:00 PM EST. The last pick-up is at 3:30 PM.

**SERVICE DAYS:** Monday through Friday except listed holidays (see **page 8** for a list).

**FARES (ONE-WAY TRIP):**

- **YOU MUST PAY EACH TIME YOU ENTER THE BUS.** If you do not have correct fare, you will not be taken to your destination. You will have to find alternative transportation.
- \$2.00 per passenger for a one-way trip inside the city limits of Phenix City.
- Children required to have car seats as mandated by state law ride free with paying passenger. Riders **MUST** provide their own child car seats to be eligible to ride.
- Passengers **MUST** pay fare prior to boarding the vehicle for each trip. You cannot pay in advance for future trips.
- Passengers **MUST** have exact change when you board the vehicle or you will not be permitted to ride. We do not accept pennies. **NO** checks, debit, or credit cards will be accepted.
- We do not provide credits or refunds.
- A fare card can be purchased allowing 10 one-way trips which provide discounted rides. Fare cards will be sold by drivers and the Transit Office based on request from passengers. We do not provide credits or refunds for lost or unused fare card rides.
- Please see below for the list of Fares and Fare Card Prices.

**Fares: (See chart below for fare prices)**

Paratransit Fare	\$2.00
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**Fare Card Ticket:** Buy a fare card ticket for 15 one-way trips at a 25% discount.

Location	Cost
Zone 1	\$30.00

## HOW TO SCHEDULE A RIDE

1. Eligible riders may schedule all their trips by calling the PEX dispatch office at 1-877-743-3739 (1-877-Ride PEX) between the hours of 9:00 AM and 5:30 PM EST, Monday through Friday. On Saturday, Sunday and holidays, passengers will be able to request reservations using the automated voice mail system from 9:00 am – 5:30 pm EST. We encourage you to call during business hours Monday thru Friday when possible.
2. You may schedule up to two (2) weeks in advance if available, but must schedule at least one (1) day prior to your transit needs. If the day prior is on a Sat, Sun or holiday a request for ride can be left on available voice mail.
3. Please provide the following information when you call to schedule a trip:
  - a. Name
  - b. Telephone number
  - c. Physical address
  - d. Destination address
  - e. Appointment time (NOTE: Driver can arrive 15 minutes early so be ready to leave at this time.)
  - f. Return time.
  - g. Type of aid used (wheelchair, walker, etc.)
  - h. If you will be traveling with an attendant, a guest, or children (Child car seats as mandated by state law).
  - i. If you will be traveling with a service animal
4. Passengers need to read the PEX Travel and Safety Rules on **Pages 6 - 9** to ensure a safe and smooth traveling experience with PEX.
5. Please call if you must cancel or you will be subject to our Cancellation Policy (**Page 7**) and No Show Policy (**Page 7**).
6. **ROUTINE TRIP SERVICE:** If a customer schedules repetitive trips on a routine and regular basis, (i.e. going to school, work, dialysis appointments, etc., traveling to and from the same destinations each time) routine trip service may be requested if time slots are available. With routine trip service, you may call once to initiate a recurring ride. However, you must call within the scheduling time listed on the previous page. PEX will schedule the ride on a continuing basis until the request is terminated, changed, or the cancellations and/or “no-shows” become excessive. Routine trip service termination due to excessive cancellations or “no-shows” may result in a loss of routine trip privileges.
7. **MEDICAL WILL CALLS:** For MEDICAL APPOINTMENTS ONLY, “Will Calls” will be allowed for return trips within city limits only. When a rider schedules a pickup to a doctor’s office, hospital, or other medical appointment, the passenger has the option to not schedule a return trip time. Instead, the passenger will call the PEX office when he or she is finished and a driver will be sent to pick the passenger up as soon as a driver is available. This way, passengers will not get left because their doctor’s appointment ran longer than expected. However, if a return trip time is scheduled and a passenger is not

ready to board within 5 minutes after the drive arrives, the passenger will have to find another ride to their next destination.

## PEX TRAVEL RULES

- The PEX Dial-A-Ride service is not a taxi service. Rides are normally scheduled between two weeks and at least one day in advance. We do not make same day reservations.
- Each time you get off the bus, the designated fare will be charged when you board the bus again.
- **REFUNDS OR CREDITS:** We do NOT provide refunds or credits on fares and fare card tickets.
- **BOARDING:** Passengers should be ready to board when the bus arrives. Because of unpredictable traffic and weather — you must allow for a 30 minute variation in pick-up time. For example, if your scheduled pick-up time is 9:00 AM, you will be picked up anytime between 8:45 AM and 9:15 AM unless it is a work or school type where you cannot be picked up early. Please make your appointments to take this fact into consideration.
- **DRIVER WAIT TIME:** Passengers should be ready to board when the bus arrives. The driver will wait FIVE (5) minutes past the scheduled time for the passenger to board. If driver is late arriving, the driver will wait FIVE (5) minutes past the arrival time. If the passenger does not board within this time frame, the driver will leave for the next destination and the passenger will be considered a “no-show”. Drivers will not return to pick up passengers who were not ready within five minute time frame.
- **ATTENDANTS (PCA’s):** Dial-A-Ride passengers can have (1) one attendant ride with them at no charge if they need assistance getting on and off the bus. If a passenger needs more than one attendant, they must be approved by PEX prior to scheduling a trip and must pay for the ride. Passengers who have difficulty climbing the bus steps may use the lift. Service Animals are allowed on any bus. Please note that Service Animals are “on duty” or “working” while riding the bus. Do not pet or talk to other people’s animals. Passengers using Service Animals are responsible for their animals while they are on the bus.
- **GUESTS:** Passengers can have guest(s) ride with them to their designated stop and if room permits. The guest(s) must pay the same fare as the rider and must be picked up with certified passenger. The guest(s) cannot be picked up at an alternate location. If the guest(s) is a child, then it must adhere to the child safety seats policies below. No exceptions will be made.

- **UNSCHEDULED TRIPS:** NO UNSCHEDULED STOPS WILL BE MADE!! You must schedule ALL stops that you wish to make within the allowed scheduling time frame. Additional stops cannot be added and/or scheduled stops cannot be changed on the day of your scheduled ride.
- **CANCELLATION POLICY:** Passengers are required to notify PEX at least two hours prior to the scheduled trip if the trip needs to be cancelled. Any individual who cancels more than three times in one week will be suspended for 5 days. If the driver has already arrived before the trip is cancelled, the passenger will be counted as a no-show and the No-Show Policy will apply as well. See below for details of this policy.
- **DESTINATION CHANGE POLICY:** Individuals making reservations to ride cannot change their destination the day of the ride. Any changes must be made prior to 4:00 PM Central Time the day before the scheduled ride.
- **NO-SHOW POLICY:** If a passenger does not call to cancel appointments, this is considered a “no-show”. If a passenger is a no-show **THREE (3)** times within a **three month period**, the passenger will be suspended from using the Dial-A-Ride service for a period of **TEN (10)** working days. When a passenger does not board on time, it makes the other passengers late to their scheduled appointments or prevents others from scheduling a trip.
- **CARRY ON PACKAGES:** Carry-on packages are welcome. However, the passenger needs to limit the number of packages to **Five (5) bags**. These bags should not be larger than 18” x 15” in size. If the passenger only has one bag, then it can be larger. However, you must be able to maintain control over the larger bag. If not you **will not be allowed on the bus** and will have to find other transportation.
- **SEAT BELTS:** All passengers will be required to properly wear and use seat belts at all times in all vehicles. If a passenger refuses to comply with this rule, you will be refused service and will have to find another way to your destination.
- **CHILD SAFETY SEATS:** All children including handicapped or medically fragile children accompanying adult passenger(s) will be placed in appropriate child safety seats/restraint device. **Passengers are responsible for providing child safety seats that meet applicable federal motor vehicle safety standards.** If a passenger refuses to comply with this rule, you will be refused service and will have to find another way to your destination. The following State of Alabama regulations apply to all children traveling on PEX:

- Infant only seats and convertible seats used in the rear facing position are required until the child is at least one year of age or 20 pounds.
  - Convertible seats in the forward position or forward facing seats are required until the child is at least five years of age or 40 pounds.
  - Booster seats are required until 7 years of age.
- **ACCOMMODATING LIFE SUPPORT EQUIPMENT OR SERVICE ANIMALS**
    - Passengers will also be permitted to travel with respirators, portable oxygen and other life support equipment. Travel with this equipment will only be denied if it violates rules concerning the transportation of hazardous materials.
    - In accordance with Americans with Disabilities Act (ADA), all paratransit passengers will be permitted to travel with a service animal trained to assist them. The DOT ADA regulations defines a service animal as any guide dog, signal dog or other animal 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. Animals that meet this definition are considered service animals under the ADA, regardless of whether they have been licensed or certified by a state or local government.
      - People with disabilities who use service animals will not be charged extra fees, isolated from other patrons, or treated less favorably than other patrons.
      - A person with a disability cannot be asked to remove his/her service animal from the premises unless: (1) the animal is out of control and the animal's owner does not take effective action to control it or (2) the animal poses a direct threat to the health or safety of others.
      - The PEX will not provide care or food for a service animal or provide a special location for it to relieve itself.
      - Allergies and fear of animals are not valid reasons for denying access or refusing service to people with service animals.
- **WHEELCHAIR/MOBILITY DEVICE SECUREMENT AND PASSENGER RESTRAINT SYSTEMS:** All mobility devices will be properly secured to the vehicle using the installed securement systems. Wheelchair passengers will be required to wear a wheelchair seat belt and be properly restrained using the vehicle restraint system. If able, those using non-wheelchair mobility devices, will be requested to move to a seat and use the vehicle seat belt system. If a passenger refuses to comply with this rule, you will be refused service and will have to find another way to your destination.
- **HOLIDAY CLOSINGS:** New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Fourth of July, Labor Day, Columbus' Day, Veteran's Day, Thanksgiving

Day, Friday after Thanksgiving, and Christmas Eve and Christmas Day, and any other Holidays to be announced and posted through various media and bus flyers.

## PEX SAFETY RULES

It is the PEX policy to provide safe, efficient, and quality transportation. In order to provide the highest quality of service, we must have safety rules to assure that all riders of PEX are given the opportunity to use the service to its maximum potential.

The following policies must be followed by all passengers on all PEX buses:

1. **Have fare ready** before you board the vehicle, hand it to the driver, and be seated promptly.
2. **Buckle up; it's the law.** The rule will be strictly enforced for all passengers, both those riding in seats and those in wheelchairs. Drivers will not proceed until all passengers are properly secured. If a passenger refuses, they will be denied transportation.
3. **No Smoking** allowed on the bus.
4. **No loud talking or offensive language** because this infringes on the rights of all passengers.
5. **No eating or drinking on the bus.**
6. **No alcohol** is allowed on the bus or can be consumed on the bus. Passenger cannot be intoxicated or reek of alcohol.
7. **Proper clothing** must be worn at all time. **Shirts and shoes are required.**
8. **Radios may be listened to through earphones ONLY.** Drivers are not allowed to play the radio when passengers are on the vehicles.
9. **Limited talking to the driver.** Drivers may discuss route information only. The driver must be 100% focused to insure a safe trip and good performance.
10. **Stay seated** while the bus is moving and do not change seats until the bus stops.
11. When de-boarding the bus, please wait until the bus has pulled away before crossing the street, as oncoming vehicles cannot see you.
12. **Misconduct by passengers is not allowed.** Misconduct is considered to be any act which creates an unsafe environment/hazard and the potential for injury or death to any passenger, driver, or the general public.
13. **Abusive conduct by passengers is not allowed.** Abusive conduct is considered to be any verbal or physical act that is generally offensive or invades the privacy or rights of others; physically touching another person in a rude, insolent, or angry manner.
14. Passengers must treat each other and the driver with respect. Every passenger and driver has equal rights to be safe, un-harassed, and assured of their own space on PEX buses.



### **CERTAIN ITEMS CANNOT BE CARRIED ON PUBLIC TRANSIT BUSES:**

- Any firearm or other type of weapon(s).
- Pets or animals (except service animals) are not allowed on the vehicle.
- Other items not allowed on the bus: open containers of food or drink, containers of gasoline, kerosene, vehicle batteries, and other hazardous materials.
- Portable containers of oxygen, for medical reasons, are allowed.
- No furniture, gardening equipment, plastic pools, or other large items on the bus.
- PEX reserves the right to refuse other items on the bus if we feel it is a safety hazard to our driver and passenger.
- Call (334)749-9092 if you have a question about an item you wish to carry onto the public transit vehicle.

### **PASSENGERS WHO REFUSE TO FOLLOW THE NECESSARY TRAVEL AND SAFETY RULES CAN BE REFUSED SERVICE.**

### **CONSEQUENCES OF MISCONDUCT OR ABUSIVE CONDUCT:**

- First offense may result in suspension of service for that day.
- A second offense within a one year period shall result in suspension of service for 30 days.
- A third offense within a one year period shall result in suspension of service for 90 days.

**NOTE:** Depending upon the seriousness and perceived danger of any misconduct or abusive conduct, even a first offense could result in permanent suspension of bus services to the offending passenger. LRCOG officials have the right to refuse service or remove anyone who violates PEX policies or jeopardizes the comfort or safety of other passengers.

## **HANDICAP ACCESSIBILITY**

We are able to provide reliable, reasonably priced transportation for members of the community who have disabilities that restrict mobility. The lifts and wheelchair securement systems designed for our vehicles are easy to operate and make transporting passengers a very simple matter. When scheduling a ride, you will need to inform us of your special needs, and we will gladly arrange a bus to accommodate you. If further assistance is needed after trip has begun, please advise driver, who will contact the office for further guidance. Wheelchairs must be completely secured and seat belts must be worn by all passengers. The driver is able to assist with normal boarding and de-boarding. There is no charge for assistant (PCA) to ride.

### **A. Phenix City Express (PEX) Reasonable Modification Policy**

## **1. Purpose**

The purpose of the reasonable modification policy is to ensure that PEX offers equal and effective opportunities and access to public transportation services for persons with disabilities and full compliance with the provisions of the Title II of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.

## **2. Policy**

PEX is committed to providing equal access and opportunity to qualified individuals with disabilities in all programs, services and activities. PEX recognizes that in order to have equally effective opportunities and benefits, individuals with disabilities may need reasonable modifications to policies and procedures. PEX will adhere to all applicable federal and state laws, regulations and guidelines with respect to providing reasonable modifications, as necessary, to afford equal access to programs for persons with disabilities. PEX does not discriminate on the basis of disability in admission to, participation in, or receipt of services and benefits under any transit program or activity. PEX will take appropriate steps to ensure that persons with disabilities have an equal opportunity to participate.

No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of PEX, or be subject to discrimination by PEX.

## **3. Reasonable Modifications**

A reasonable modification is a change or exception to a policy, practice, or procedure that allows disabled individuals to have equal access to programs, services, and activities. PEX will make reasonable modifications to policies, practices and procedures when necessary to ensure access to transit services for qualified individuals with disabilities, unless:

- Making the accommodation would fundamentally alter the nature of the public transportation service.
- Making the accommodation would create a direct threat to the health or safety of other passengers.
- The individual with a disability is able to fully use PEX's service without the accommodation being made.

For the purposes of this section, the term reasonable accommodation shall be interpreted in a manner consistent with the term “reasonable modifications” as set forth in the Americans with Disabilities Act Title II regulations at 28 CFR 35.130(b)(7), and not as it is defined or interpreted for the purposes of employment discrimination under Title I of the ADA (42 U.S.C. 12111–12112) and its implementing regulations at 29 CFR part 1630.

#### **4. Eligibility Criteria**

An individual is eligible to be considered to receive a reasonable modification if that individual has: a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or been regarded as having such impairment.

#### **5. Requests for Reasonable Modifications**

PEX shall make information about how to contact PEX to make requests for reasonable modifications readily available to the public through its website and rider policy guidelines. PEX shall follow these procedures in taking requests:

- a. Individuals requesting modifications shall describe what they need in order to use the service.
- b. Individuals requesting modifications are not required to use the term “reasonable modification” when making a request. Personnel at PEX will determine if the request represents a reasonable modification and proceed in accommodating the request accordingly.
- c. Whenever feasible, PEX requests that individuals make such requests for modifications before PEX is expected to provide the modified service.
- d. Where a request for modification cannot practicably be made and determined in advance (e.g., because of a condition or barrier at the destination of a paratransit, demand response, or fixed route trip of which the individual with a disability was unaware until arriving), operating personnel shall make a determination of whether the modification should be provided at the time of the request. Operating personnel may consult with PEX’s management before making a determination to grant or deny the request.

Requests for accommodation may be made either orally or in writing. The reasonable accommodation process begins as soon as the request for accommodation is made.

The request can be submitted in any written format. Alternative means of filing a request, such as personal interviews, phone calls, or taped requests, will be made available for persons with disabilities if unable to communicate their request in writing or upon request.

## **6. Interactive Process**

When a request for accommodation is made, PEX and the individual requesting an accommodation must engage in a good faith interactive process to determine what, if any accommodation shall be provided. The individual and the PEX must communicate with each other about the request, the process for determining whether an accommodation will be provided, and the potential accommodations. Communication is a priority throughout the entire process.

## **7. Time Frame for Processing Requests and Providing Reasonable Modification**

PEX will process requests for reasonable accommodation and then provide accommodations, where appropriate, in as short a time frame as reasonably possible. PEX recognizes, however, that the time necessary to process a request will depend on the nature of the accommodation(s) requested and whether it is necessary to obtain supporting information.

## **8. Granting a Reasonable Modification Request**

As soon as PEX determines that a reasonable accommodation will be provided, that decision shall be immediately communicated to the individual. This notice must be in writing in order to maintain the required information for reporting purposes. Upon request, alternative means of response will be provided.

In choosing among alternatives for meeting nondiscrimination and accessibility requirements with respect to new, altered, or existing facilities, or designated or specified transportation services, PEX shall give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate to the needs of individuals with disabilities.

## **9. Denying a Reasonable Modification Request**

As soon as PEX determines that a request for reasonable accommodation will be denied, PEX will communicate the basis for the decision in writing to the individual requesting the modification. The explanation for the denial will clearly state:

- a. the specific reasons for the denial;
- b. any alternative accommodation that may create the same access to transit services as requested by the individual; and
- c. the opportunity to file a complaint relative to the PEX's decision on the request.

## 10. Complaint Process

PEX has a process for investigating and tracking complaints from qualified individuals. These procedures shall be posted on the PEX's website and will be provided to any individual where the PEX has denied a request for accommodation. The process and any forms necessary to file a complaint are readily available from the web. Alternative means of filing complaints, such as personal interviews, phone calls, or taped requests, will be made available for persons with disabilities if unable to communicate their request in writing or upon request.

Any person who believes she or he has been discriminated against in obtaining a reasonable modification may file a complaint by completing and submitting a PEX's Reasonable Modification Complaint Form. PEX investigates complaints received no more than 30 days after receipt. Phenix City Express (PEX) will process complaints that are complete. Once the complaint is received, the complainant will receive an acknowledgement of receipt. If more information is needed to resolve the complaint, PEX may contact the complainant. The complainant has 30 business days from the date of the letter to send requested information to PEX.

If PEX is not contacted by the complainant or does not receive the additional information within 30 business days, the PEX may administratively close the complaint. In addition, a complaint may be administratively closed if the complainant no longer wishes to pursue their case.

After PEX investigates the complaint, a decision will be rendered in writing to the complainant. PEX will issue either a Letter of Closure or Letter of Finding.

- a. **Letter of Finding** – This letter will summarize the complaint, any interviews conducted regarding the complaint, and explains what actions will be taken by PEX to address the complaint.
- b. **Letter of Closure** – This letter will explain why PEX has determined that the complaint does not merit accommodation under the Americans with Disabilities Act and that the complaint will be closed.

If the complainant disagrees with the decision of PEX, an opportunity to appeal the decision may be pursued provided the complainant files notice of appeal within 21 days of the initial decision of PEX.

In the event of appeal, the complainant will be granted all due process, including the ability to be present additional evidence, present the case in person during an appeal hearing, and to be represented by counsel.

## 11. Designated Employee

PEX shall designate one official within the organization responsible for processing reasonable modification requests and handling complaints. This individual is:

Transit Director  
Lee-Russell Council of Governments  
2207 Gateway Drive  
Opelika, AL 36801  
334-749-9092 ext. 240  
[kwestfall@lrcog.com](mailto:kwestfall@lrcog.com)

## 12. Record Retention

PEX will maintain all records related to Reasonable Modification requests and denials for at least three (3) years.

### B. Request for Reasonable Modification

**Policy:** In accordance with the Americans with Disabilities Act (ADA) and directives from the Federal Transit Administration, PEX will make every effort, to the maximum extent feasible, to ensure that a person with a disability has access to, and benefits from, its services. PEX will make reasonable modifications to its policies, programs, and procedures applicable to its transportation services when necessary to avoid discrimination and ensure accessibility for people with disabilities.

Reasonable modifications do have limitations and are not intended to:

- Cause a direct threat to the health and safety of others
- Create undue financial and administrative burdens
- Constitute a fundamental alteration to a service
- Not necessary to provide equal access to an Sound Transit service

Considerations when making a reasonable modification request:

- Individuals requesting modifications shall describe what they need in order to use the service.
- Individuals requesting modifications are not required to use the term “reasonable modification” when making a request.
- Whenever feasible, requests for modifications shall be made and determined in advance, before the transportation provider is expected to provide the modified

service, for example, during the paratransit eligibility process, through customer service inquiries, or through the entity's complaint process.

- Where a request for modification cannot practicably be made and determined in advance (e.g., because of a condition or barrier at the destination of a paratransit or fixed route trip of which the individual with a disability was unaware until arriving), operating personnel of the entity shall make a determination of whether the modification should be provided at the time of the request. Operating personnel may consult with the entity's management before making a determination to grant or deny the request.
- The request must identify the modification needed in order to use the service. Whenever feasible, please make the request in advance, before the modification is needed to access the service.

Within the scope of the ADA and reasonable modification, if PEX denies a request it will make every effort, to the maximum extent feasible, to ensure that a person with a disability has access to, and benefits from, its services.

**Procedure:** To request reasonable modifications based on a disability please use the Reasonable Modification Request Form, or contact PEX's ADA Coordinator for assistance.

Transit Director  
Lee-Russell Council of Governments  
334-749-9092 ext. 240  
[kwestfall@lrcog.com](mailto:kwestfall@lrcog.com)

TTY users may call the Alabama Relay Center at:

Dial: **711**

You may be asked to complete a request form. PEX will review the request in accordance with its reasonable modification plan. PEX strives to respond, in writing, to each request within 15 calendar days.

**All the information involved with this process will be kept confidential.**

### **C. ADA Reasonable Modification Request Form**

Use this form to request a modification to current PEX policies or procedures. Be specific and provide as much detailed information as possible. This will allow us to effectively process and evaluate your request. Before filling out this form please review Sound Transit’s Americans with Disabilities Act (ADA) Request for Reasonable Modifications Procedures.

### Reasonable Modification Request Form

Please include the following items in your request:

- Based on a disability, why is the modification necessary?
- Provide a description of your limitation(s) and how it is affected by PEX’s policies/procedures.

Name:

Date:

Phone Number:

Email Address:

Mailing Address:

Best way to contact you:

Modification Request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please Send to:

Transit Director  
Lee-Russell Council of Governments  
(334)749-9092 Ext 240

### D. Accommodation of Mobility Devices

Consistent with Department of Transportation regulations, PEX will transport a mobility device with three or more wheels and its user so long as the lift can safely accommodate the size and weight of the mobility device and its user and there is space for the mobility device on the vehicle.



## E. ADA Grievance Procedure

Phenix City Express' Americans with Disabilities Act Grievance Procedure is listed below:

This grievance procedure is established to meet the requirement of the Americans with Disabilities Act of 1990. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by PEX. Sound Transit's personnel policies govern employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Transit Director  
Lee-Russell Council of Governments  
2207 Gateway Drive  
Opelika, AL 36801  
334-749-9092 ext. 240  
TTY users may call the Alabama Relay Center at: 711

Within 15 calendar days after receipt of the complaint, the Transit Director or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the Transit Director or his/her designee will respond in writing, and where appropriate, in format accessible to the complainant, such as large print or Braille. The response will explain the position of the Agency and offer options for substantive resolution of the complaint.

If the response by the Transit Director or his/her designee does not satisfactorily resolve the issue, the complainant may appeal the decision within 15 calendar days after receipt of the response to the Transit Director or his/her designee. Within 15 calendar days after receipt of the appeal, the Transit Director or his designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Transit Director or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the Transit Director or his/her designee, appeals to the Transit Director or his/her designee, and responses from these two offices will be retained by the Agency for at least three years.

Formal complaints should be submitted by mail.

## **F. Phenix City Express' Complaint Procedures**

During the normal course of providing service to the community, it is possible that passengers and/or members of the public will desire to lodge complaints about the quality of transit service offered or the manner in which transit service is delivered. Every effort will be made to handle these issues quickly, courteously and fairly. All employees are reminded that everyone in the community has the right to express concerns about transit operations. One should also remember that the mere allegation of impropriety, however, does not establish proof that a violation has occurred. Every effort will be made to address and resolve customer complaints as quickly as possible but certainly within fifteen (15) business days.

Specifically, a "complaint" is an allegation by a member of the public that there has been a specific violation, misinterpretation, or inappropriate act by a member of Phenix City Express. Vague or general charges of "unfairness" that are not substantiated by facts will not be processed through the dispute resolution system.

All complaints will be referred to the Transit Director, Phenix City Express for investigation and resolution. Complaints specifically alleging inappropriate behavior by management personnel of the Phenix City Express will be referred to the Chief Executive Officer of the Phenix City Express. The following steps are established to provide a framework for handling these issues.

**Step One** - The complaint is received by Phenix City Express. Sufficient information is collected to allow an investigation and the individual is to be thanked for bringing the matter to the attention of the Phenix City Express. Upon receiving the complaint, we will neither be defensive nor argumentative.

**Step Two** - Manager/CEO, Phenix City Express will investigate the facts, as presented, develop additional facts, identify (where possible) the employee in question and determine what actually occurred.

**Step Three** - If the complaint has merit, Manager, Phenix City Express will counsel the appropriate employee and take the appropriate progressive disciplinary steps.

**Step Four** - Where applicable, Manager, Phenix City Express will respond to the individual filing the complaint within fifteen (15) business days. Depending on the desires of the individual and the nature of the complaint, this response may be either a telephone call (sufficiently documented) or a written response.

**Step Five** - For any egregious complaint, Manager, Phenix City Express will advise the Chief Executive Officer, Phenix City Express. A joint decision may be made to accelerate the disciplinary process or take other extraordinary actions to resolve the complaint.

**Step Six** - If the member of the public is not satisfied with actions taken locally or if they demand further action, these unresolved complaints will be referred to the Public Transportation Section of the Bureau of Multimodal Transportation, ALDOT in Montgomery. We will freely and promptly provide names, telephone numbers and addresses.

Mr. Wiley Brooks  
Senior Transportation Planner  
Alabama Department of Transportation  
Bureau of Local Transportation  
1409 Coliseum Blvd, Room C-118  
Montgomery, AL 36110  
Phone: (334)242-6767  
Fax: (334)353-6530  
Email: brookswi@dot.state.al.us

The entire issue of complaint resolution, whether it is one of our employees or a member of the public, is one of courtesy and common sense. We serve the public and they have a right to share their concerns with us. We will handle all complaints courteously and will not allow ourselves to “argue” about the merits of any complaint. In many instances, individuals merely want “to be heard”. We will give them that opportunity.

## **G. Title VI Notice to Public**

The Phenix City Express Public Transit hereby gives public notice of its policy to uphold and assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and all related statutes. Title VI and related statutes prohibiting discrimination in Federally assisted programs require that no person in the United States of America shall, on the grounds of race, color, national origin, sex, age, or disability be excluded from the participation in, be denied the benefits of, or be

otherwise subjected to discrimination under any program or activity receiving Federal assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice regarding Phenix City Express Public Transit programs has a right to file a formal complaint with Phenix City Express Public Transit. Any such complaint must be in writing and submitted to the Transit Director within one hundred eighty (180) days following the date of the alleged occurrence. For more information regarding civil rights complaints, please contact:

Transit Director  
2207 Gateway Drive  
Opelika, Alabama 36801  
334-749-5264 Ext 240

### **KEEPING IN TOUCH**

In order for PEX to better serve the community, we welcome input and questions from the public. We are here to serve the people of the community, so let us hear from you with comments, questions, or concerns! Call us at 334-749-9092.