



ADA NO-SHOW POLICY

General

The Federal Transit Administration requires that transit operators have an ADA no-show policy (49 CFR A Part 37, FTA Circular 4710.1) A passenger is considered a *no-show* when a passenger does not board the vehicle when the drivers are on-time plus waiting time. It is important to understand that no-shows have a negative impact on the service, increases cost, and most importantly decreases pick-up availability to other passengers. If any passenger has a pattern of no-shows, the agency may establish a process to suspend service for a period of time.

Definitions

ADA: Americans with Disabilities Act

Beyond the Passengers' Control: a circumstance that causes a passenger to no-show on the basis the passenger cannot control including, but not limited to family emergency, sudden illness, mobility aide failure, etc.

Late Cancellation: Notifying the transit agency past the two-hour cancellation grace period.

No-show: when a passenger dose not board the vehicle when the driver is on-time plus waiting time (see Dispatch and Driver Procedures section) AND/OR when a passenger does not cancel a scheduled trip before the 2-hour grace period.

Pattern: a repeated action

Pattern or Practice of No-Shows

No-Shows are based on a number of circumstances including those that are ***beyond the passengers' control*** (i.e., family emergency, sudden illness, mobility aide failure, etc.). Frequency of five no-shows in a month can trigger review of pattern of no-show practice. Passengers that have a frequency of 33.33% of their total scheduled trips in a one-month period can trigger a review for a pattern or no-show practice. When a trip is cancelled less than 2-hours before the scheduled pick-up window, a *Late Cancellation* or *No-Show* may

be recorded on a passenger's record. The passenger should call SMAT if they have any concerns that they may have no-showed a trip or cancelled late record. Missed trips due to driver error (i.e., late, or early arrival, arriving at wrong location, not on-time arrivals, and/or vehicle never arrived, etc.) are not counted as no-shows.

Dispatch and Driver Procedures

Drivers and dispatchers follow the following steps in response to a no-show:

1. The vehicle is at the correct pick-up location within the 30-minute window (no earlier than 15 minutes before the scheduled pick-up time and no later than 15 minutes after the scheduled pick-up time);
2. The vehicle has waited 5 minutes for the customer;
3. The driver has contacted the dispatcher to report a possible no-show;
4. The dispatcher confirms the scheduled pick-up time, correct location, and any special pick-up instructions with the driver; and
5. The dispatcher has attempted to call the customer at the telephone number of record.

For the sake of efficiency, and on-time performance for the next scheduled customer, drivers may contact the dispatcher to start the process described above after waiting 3 minutes at the pick-up location. However, the vehicle must wait the full 5 minutes before the no-show is recorded and the vehicle leaves.

In some instances, a no-show will **not** be recorded if their medical appointment has caused the delay. The dispatcher will confirm that the customer is still at the facility and has not found another ride. In this case, the trip shall be recorded as "Will Call," and the customer will need to schedule the vehicle to return when ready to travel.

Roundtrips and No-Shows

Riders have an independent right to each trip. SMAT will assess the passenger's no-show for the outgoing trip but will not automatically assume the passenger return trip is not needed. SMAT will contact the passenger who no-showed the outgoing trip to inquire about the return trip to avoid penalizing the passenger for another no-show. SMAT will attempt to contact a customer following a no-show to ask if additional trips scheduled that day need to be cancelled. The passenger will incur additional no-shows, if additional scheduled trips are not taken following the first no-show.

Notification, Appeal, and Suspension Procedure

Below is the procedure for service suspension:

1. **Service suspension should be avoided and regarded as last resort.** Staff will work with passengers to review no-shows on record and develop strategies to reduce or eliminate no-shows.
2. Suspension is not mandated; Transit Services Manager reserves the right to exercise discretion however a concerted effort to treat all passengers consistently will be made.
3. Clear pattern of missed trips by the passenger equals no-shows.
4. A Courtesy Warning letter will be mailed out regarding a no-show pattern. Staff encourages passengers to contact Dispatch to address no-shows on records and

5. Courtesy Warning strategies to avoid patterns of no-shows. Passengers have 21 days to respond to the Courtesy Warning. If pattern of no-shows continues after 30 days from the date of the Courtesy Warning, proceed to next paragraph.

If service suspension is recommended, the following steps are required:

1. General Manager (Contractor) shall notify the passenger of the proposed service suspension, detailing the basis for the proposed suspension and the approval;
2. The passenger has 21 calendar days to submit an appeal in writing for the proposed first violation.
3. The passenger may present their appeal detailing the reasons for the pattern in writing. If the passenger elects to present their appeal in front of a panel, the Transit Division will coordinate a date of the meeting with the passenger. The passenger may contact the Transit Division no less than 2 days before the meeting to reschedule the meeting. If the passenger fails to reschedule the meeting and/or attend the meeting, the passenger forfeits their appeal.
4. The panel will consist of the Transit Coordinator, General Manager, and one other external transit representative from another agency. SMAT will transport the passenger to and from the meeting at no expense to passenger.
5. City will provide the passenger with written notification of the decision and the reason for the decision.
6. Passengers have the right to submit an appeal of the decision within 21 days of the first violation. Passengers have the right to extend the date of administrative appeal hearing by 10 days.
7. Passengers have 5 calendar days to submit appeal in writing for each subsequent violation after the first subsequent violation.
8. Special circumstances, due to health considerations, appeals may also be done via virtual meetings or by phone. Advance notice for these accommodations is required no less than 2 days in advance.

Strategies to Reduce No-Shows or Practice of No-Shows

1. No-show policy will be reviewed with passengers.
2. SMAT will give passengers the ability to cancel up to two hours before scheduled ride.
3. Dispatch will verify special pick-up instructions, phone numbers, and contact information with passengers.
4. Dispatch will verify no-shows to correct errors.
5. Dispatch will keep passengers informed of their recorded no-shows.
6. A periodic review and list of passengers with highest number of no-shows will be assessed periodically.
7. Staff will identify and review patterns of no-show with passengers and give one warning before pursuing enforcement.
8. Dispatcher will attempt to locate the passenger rather than just dwelling and pulling away.

Suspension Schedule

After it has been established that there is a pattern of no-shows and after a Courtesy Warning Notice has been issued, passengers who have continued a sustained violation of established pattern of no-shows will be subject to the following progressive service suspension schedule.

Violation	Days of Suspension
First	1 Week Suspension
Second	2 Weeks Suspension
Third	3 Weeks Suspension
Fourth	4 Weeks Suspension

Sample Courtesy Warning

See Appendix I for sample Courtesy Warning notice.

Sample Service Suspension Notice

See Appendix I for sample Service Suspension Notice.

Right to Appeal

Persons receiving a suspension notification letter will have the right to appeal prior to implementation of the suspension. To file an appeal, a customer or his/her representative must submit to SMAT a written explanation of why the customer should not be suspended along with any supporting facts and statements. The appeal must be received within 30 days of the date on the suspension notification letter from SMAT.

Appeals should be sent to:

SMAT: Santa Maria Area Transit
Attn: Santa Maria Paratransit Appeals
110 S. Pine Street, Suite 101
Santa Maria, CA 93458

SMAT will conduct an appeal hearing within two weeks of receiving the request, and customers will be permitted to continue to ride the SMAT ADA Paratransit bus until the final determination is made by the SMAT Operations Manager (typically within ten working days of the appeal hearing). The appeal hearing will be conducted by SMAT operations, customer service, and administrative staff members. The intent of the hearing is to validate instances of no-shows and late cancellations, and to determine if a temporary suspension is warranted due to a pattern of no-shows and late cancellations.

The City of Santa Maria and Santa Maria Area Transit is soliciting comments on this draft ADA No Show Policy. You may submit comments to any of the following:

Email: smatcomments@cityofsantamaria.org

Phone: 805-925-0951 ext. 2459

Mail: SMAT: Santa Maria Area Transit

Attn: Santa Maria Paratransit Appeals

110 S. Pine Street, Suite 101

Santa Maria, CA 93458

DRAFT

Appendix I

SAMPLE COURTESY WARNING NOTICE

[DATE]

[PASSENGER FIRST, LAST NAME]
[ADDRESS]
[CITY, STATE, ZIP]

SUBJECT: COURTESY WARNING NOTICE

Dear [PASSENGER NAME],

A review of your trip history on the SMAT ADA service during the month of [ENTER MONTH] has revealed that you had three (3) "no-shows" within a 30-day period, as follows:

- [DATE AND TIME] (For example, October 1, 2010 – 6:45 a.m.)
- [DATE AND TIME]
- [DATE AND TIME]

A no-show is defined as when a passenger does not cancel a scheduled trip and is unavailable at the agreed upon pick-up time window and location and ALL of the following occur:

1. The vehicle is at the correct location within the 30-minute window (no more than 15 minutes before or after the scheduled pick-up time);
2. The vehicle has waited 5 minutes for the passenger;
3. The driver has contacted the dispatcher to report a possible no-show;
4. The dispatcher confirms the scheduled pick-up time and correct location with the driver; and
5. The dispatcher has attempted to call the passenger at the telephone number of record.

If one or more of these no-shows were due to circumstances beyond your control, please contact the SMAT Dispatch office at (805) 928-5254 and provide an explanation as to why the no-show(s) should not be counted. Documentation may be required. You may also contest a no-show that has been assessed by calling the SMAT Dispatch office.

At this time, we are issuing a warning that, if you establish a pattern or practice of no-shows, you may lose your riding privileges for a designated period of time. We are committed to working with you to address the causes of no-shows so you can continue to use the service.

Sincerely,

OPERATIONS MANAGER

Appendix II

SAMPLE NO-SHOW SERVICE SUSPENSION NOTICE

DEPARTMENT OF PUBLIC WORKS
[Insert First and Last Name]
[Insert Address]
[Insert City], CA [Insert Zip]

[Insert Date]

SUBJECT: NOTIFICATION OF NO-SHOWS AND RECOMMENDATION OF SERVICE SUSPENSION

[Insert First and Last Name],

Thank you for riding SMAT ADA Paratransit. SMAT strives to provide excellent service. Accommodating the many service requests can be challenging especially when passengers do not show for their pick-up and/or cancel late, which could have been available to other passengers.

No-shows greatly affect our ability to serve our many customers. No-shows are simply when passengers do not show for their prearranged pick-up time and at their location. SMAT realizes that circumstances happen beyond the passenger's control and passengers may occasionally forget to cancel their trip. When forgetting becomes more than occasional, and there are patterns of no-shows within the passengers' control; this behavior affects SMAT's ability to provide efficient service to our customers. When SMAT identifies no-shows based on patterns, SMAT will first contact passengers to identify the reasons for their no-shows and help develop strategies to reduce their no-shows. If a passenger continues to exhibit a pattern of no-shows, then a passenger is subject to SMAT's ADA No-Show Standard Operating Procedure (Refer to Attachment 1), which includes service suspension.

On [insert date], SMAT sent you a Courtesy Warning regarding your pattern of no-shows. SMAT requested you to contact SMAT Dispatch at 805-925-5254 to discuss your no-shows on record and strategies to reduce no-shows to avoid service suspension. The Courtesy Warning also informed you of the consequence of continuation of your pattern of no shows. Because of the continuation of your pattern of no-shows, there is a recommendation to suspend your SMAT ADA Paratransit Service. Please plan to attend the administrative hearing to discuss your no-show record. If the decision is to sustain the recommendation, you have the right to appeal. To appeal, send an appeals letter within 21 days from the date of the decision of the first violation to the following address:

SMAT – Santa Maria Area Transit
Attn: Transit Services Manager
110 S. Pine Street, Suite 101
Santa Maria, CA 93458

Thank you again for choosing SMAT.

TRANSIT SERVICES MANAGER