OATS ADA Paratransit Policy:

OATS operates a route deviation system. OATS provides buses equipped with wheelchair lifts on its fixed routes, with route deviation by prior request, during its hours of operation Monday through Saturday.

During the specified times that wheelchair equipped vehicles are not used to provide fixed route, route deviation service, OATS shall provide paratransit service to individuals with disabilities that are eligible for ADA paratransit service that is comparable to the level of service provided to individuals without disabilities who use the fixed route, route deviation system. Paratransit means comparable transportation service required by the ADA for individuals with disabilities who are unable to use fixed route transportation systems. Paratransit service is available within ¾ mile of the fixed route during the hours of operation. The scheduled times that wheelchair equipped vehicles are not used to provide fixed route, route deviation service are on the SBU Shuttle service, on Thursday and Friday nights between 7:00 p.m. and 12:00 a.m., and on the SBU Late-Night service, on Thursday, Friday, and Saturday nights between 11:00 p.m. and 3:00 a.m.

The fare for a trip charged to an ADA paratransit eligible user of the complementary paratransit service shall not exceed twice the fare that would be charged to an individual paying full fare (i.e., without regard to discounts) for a trip of similar length, at a similar time of day, on the entity's fixed route system. A personal care attendant shall not be charged for complementary paratransit service.

To schedule the ADA paratransit service, individuals eligible for service should call the City of OIean Department of Community Development during regular office hours, Monday through Friday, except holidays, between the hours of 9:00 a.m. and 5:00 p.m., at least, 24 hours in advance of the request for scheduled paratransit service. Individuals may contact the Olean Department of Community Development to obtain information concerning eligibility for paratransit service. The phone number is 716-376-5647. The following text details the process by which a rider shall establish eligibility to schedule an ADA paratransit ride.

Process to determine eligibility for rides under the OATS ADA Paratransit Policy

Section 37.125(g) of Part 37 requires the following elements for an ADA paratransit eligibility determination process:

- If a rider makes a request for paratransit eligibility, which is an application for service consistent with paratransit eligibility criteria, OATS requests that the potential rider provide proof of eligibility including records of determination or compliance with eligibility criteria stated above. The proof of eligibility shall be provided to the Olean Department of Community Development at the following address:

Applicant for OATS Paratransit Eligibility
Olean Area Transit System
Olean Department of Community Development
101 East State Street
Olean, New York 14760

- If, by a date 21 days following the submission of a complete application, OATS has not decided eligibility, the applicant will be treated as eligible and provided service until and unless the application is denied.

- The determination concerning the eligibility must be put in writing. If the determination is that the individual is ineligible, the OATS determination will state the reasons for the finding. Decisions will be rendered by the City of Olean Department of Community Development.

- Any OATS decision concerning eligibility can be appealed. To make an appeal, the denied applicant will be afforded the opportunity to present the reasons for an appeal. The denied applicant may request an opportunity to appeal the decision to the Olean Department of Human Resources. The request to appeal must be made to the Olean Department of Human Resources in writing within 21 days of denial of the original request. The Olean Department of Human Resources will decide on the appeal in writing to the requesting individual within 21 days of receipt. An appeal of a denial of paratransit eligibility shall be provided to the Olean Department of Human Resources at the following address:

Appeal of Denial of OATS Paratransit Eligibility
Olean Department of Human Resources, Room 121
101 East State Street
Olean, New York 14760

ADA Paratransit Eligibility information:

Disability means, with respect to an individual, 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.
(1) The phrase physical or mental impairment means--

(i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory including speech organs, cardiovascular, reproductive, digestive, genito-urinary, hemic and lymphatic, skin, and endocrine;

(ii) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities;

(iii) The term physical or mental impairment includes, but is not limited to, such contagious or noncontagious diseases and conditions as orthopedic, visual, speech, and hearing impairments; cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease, tuberculosis, drug addiction and alcoholism;

(iv) The phrase physical or mental impairment does not include homosexuality or bisexuality.

(2) The phrase major life activities means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and work.

(3) The phrase has a record of such an impairment means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
(4) The phrase is regarded as having such an impairment means--

(i) Has a physical or mental impairment that does not substantially limit major life activities, but which is treated by a public or private entity as constituting such a limitation;

(ii) Has a physical or mental impairment that substantially limits a major life activity only as a result of the attitudes of others toward such an impairment; or

(iii) Has none of the impairments defined in paragraph (1) of this definition but is treated by a public or private entity as having such an impairment.

(5) The term disability does not include--

(i) Transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders;

(ii) Compulsive gambling, kleptomania, or pyromania;

(iii) Psychoactive substance abuse disorders resulting Individuals may be ADA paratransit eligible on the basis of a permanent or temporary disability.

The following individuals are ADA paratransit eligible:

(1) Any individual with a disability who is unable, as the result of a physical or mental impairment (including a vision impairment), and without the assistance of another individual (except the operator of a wheelchair lift or other boarding assistance device), to board, ride, or disembark from any vehicle on the system which is readily accessible to and usable individuals with disabilities.

(2) Any individual with a disability who needs the assistance of a wheelchair lift to board, ride and disembark from any vehicle on the fixed route during the hours of operation when such a vehicle is not being used to provide designated public transportation on the route.

Fares. The fare for a trip charged to an ADA paratransit eligible user of the complementary paratransit service shall not exceed twice the fare that would be charged to an individual paying full fare (i.e., without regard to discounts) for a trip of similar length, at a similar time of day, on the entity's fixed route system. A personal care attendant shall not be charged for complementary paratransit service.