

Sally J. Pimentel Deaf and Hard of Hearing Center, Inc.
Americans with Disabilities Act (ADA) of 1990
Policy and Procedures
Date: 8/14/2026

Purpose

This policy is written to establish operating and service guidelines and procedures for the implementation of the requirements of the Americans with Disabilities Act (ADA) of 1990; the U.S. Department of Transportation (U.S. DOT) regulations for implementing ADA as included in 49 Code of Federal Regulations (CFR) Parts 27, 37 and 38; the Florida Department of Transportation (FDOT) *State Management Plan*; and applicable state laws and regulations.

The purpose of this policy is to ensure all Sally J. Pimentel Deaf and Hard of Hearing Center, Inc. personnel are aware of and comply with certain statutory requirements regarding the transportation and assistance for persons with disabilities.

Policy Statement

It is the policy of Sally J. Pimentel Deaf and Hard of Hearing Center, Inc. to 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 agency provides quality transportation services without discrimination to all persons including individuals with disabilities. Discrimination on the basis of disability against any person by agency employees will not be condoned or tolerated.

Procedures for Implementing Policy

Recruitment and Employment: As stated in the agency's personnel policies, the agency is an Equal Opportunity Employer and fully complies with ADA in its recruitment, hiring, and continued employment practices.

Maintenance of Accessible Features: Accessibility features on vehicles including lifts, ramps, wheelchair securement devices, signage, and communication devices will be maintained in operative condition. The preventive maintenance program of Sally J. Pimentel Deaf and Hard of Hearing Center, Inc. provides for regular and frequent maintenance checks of these features as well as preventive maintenance as recommended by the equipment manufacturers.

Inoperative Lifts and Ramps: Drivers are required to report lift or ramp failures immediately. Vehicles with inoperative lifts will be removed from service and replaced with an accessible vehicle until the inoperative lift is repaired. All vehicles with accessible features shall be repaired promptly.

Wheelchair Accommodation: All accessible vehicles meet or exceed the requirements of 49 CFR Part 38. Agencies are required to carry a wheelchair and its user, so 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 mobility device, Sally J. Pimentel Deaf and Hard of Hearing Center, Inc. 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, agency personnel are not required to operate a passenger's wheelchair.

Boarding and Disembarking: Drivers and schedulers 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.

The driver is required to assist individuals with disabilities with boarding and alighting, as only a properly trained agency employee can operate the lift or ramp. Passengers may refuse assistance with boarding or disembarking. Passengers may board or disembark facing toward or away from the vehicle.

Wheelchair Securement: Sally J. Pimentel Deaf and Hard of Hearing Center, Inc. requires that all wheelchairs be secured in a designated space in the vehicle. The driver is required to assist individuals with disabilities with securing the wheelchair, as only a properly trained agency employee can secure the wheelchair in the securement area.

A wheelchair user cannot be denied passage even if the mobility aid cannot be satisfactorily secured or restrained; however, the driver will still 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. A driver may suggest that the wheelchair user transfer to a seat if the wheelchair cannot be secured. Drivers must warn the passengers of the danger of riding in a non-secured wheelchair. Passengers who refuse to allow their wheelchairs to be secured may be denied service.

Seat belts and shoulder harnesses are recommended but not required for passengers riding in their secured wheelchair. Seat belts will never be used instead of independent securement of the passenger's wheelchair.

Driver Assistance: Drivers will make themselves available to assist individuals with disabilities. Drivers will make full use of all vehicle features that assist persons with disabilities. Drivers will assist a passenger with using the accessibility-related equipment and features on the vehicle including the ramp, lift, and/or securement systems.

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 vehicle. Drivers may recommend, but never require, wheelchairs users to transfer to fixed seating. No waivers are allowed to be required.

Priority Seating: With the exception of the wheelchair securement stations, the agency does not require any passenger to sit in designated seating. The driver will ask any person sitting in a seat designated for use by elderly or handicapped to move to another seat to allow proper seating or securing of persons with disabilities. If the person refuses to move upon request, the driver must notify a supervisor.

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 agency allows 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.

Any animal not under the passenger's verbal or physical control or which becomes a direct threat to the health or safety of other passengers may be restricted from riding.

Staff Training: All drivers 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.

DHHC provides driver training in vehicle familiarization, safe vehicle operation and maneuvering, boarding and alighting passengers, proper use of the wheelchair ramp and securement equipment, passenger assistance and securement, defensive driving, distracted driving, vehicle inspections, and disability etiquette/ADA Law/Sensitivity Training. Refresher training is provided annually or more often as needed, with distracted-driving retraining every two years.

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. All personnel shall assist any person with disabilities who requests information about a route, schedule, or other transportation information.

Reasonable Modification: All personnel will make reasonable modifications to policies, practices, and procedures to ensure that programs are accessible to individuals with disabilities per the U.S. DOT issued Final Rule on “Transportation for Individuals with Disabilities; Reasonable Modification of Policies and Practices.”

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. Personnel may consult with Sally J. Pimentel Deaf and Hard of Hearing Center, Inc. management before making a determination to grant or deny the request.

Complaint Procedure: All complaints of discrimination on the basis of disability will be promptly and objectively investigated and forwarded to the executive director and promptly and objectively investigated. Sally J. Pimentel Deaf and Hard of Hearing Center, Inc. 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 one year, and a summary record of all complaints will be kept for five years.

DHHC will process complete discrimination complaints received within 180 days of the alleged incident. Upon receipt, the complaint will be reviewed to determine whether DHHC has jurisdiction, and the complainant will receive an acknowledgement advising whether the complaint will be investigated. DHHC will have ninety (90) days to investigate the complaint. If additional information is required, the complainant will have ten (10) business days to provide the requested information. Following the investigation, DHHC will issue either a closure letter or a letter of finding. A complainant may appeal the decision within seven (7) days of receiving the closure letter or letter of finding. The complaint procedure and complaint form will be made available on DHHC’s website.