

OPERATING POLICIES AND GUIDELINES FOR ZIPS DIAL-A-RIDE
ROCHESTER, MN

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1. INTRODUCTION

The Zumbro Independent Passenger Service (ZIPS) is a door-to-door public transportation system for persons who cannot use regular Rochester City Lines bus service due to a physical and/or mental disability. All vehicles are wheelchair accessible. The service is administered by the City of Rochester, Department of Public Works, Transportation Division. Operation of the service including dispatch, routing, personnel and vehicle maintenance is provided by private operators under contract with the City.

The purpose of this document is to outline specific policies by which the service operated for both the operator and the user. The policies have been developed over the years through operating experience, input from passengers and service personnel, review by the Citizens Advisory on Transit and requirements of the State of Minnesota. Questions and comments should be directed to the address below.

Department of Public Works
Transportation Division
201 4th Street SE, Rm. 108
Rochester, MN 55904
Telephone: (507) 328-2439
FAX: (507) 328-2401
TDD: (507) 285-8086

2.0 ELIGIBILITY

2.1 Eligibility Criteria

ZIPS Dial-A-Ride is for persons who cannot use regular Rochester City Lines buses for one or more of the following reasons:

1. Wheelchair- Persons confined to a wheelchair, except for those whose body position in the wheelchair exceeds a 45 degree angle from the vertical back position.
2. Semi-Ambulatory/ Ambulatory- Persons who are not able to use regular route transit due to physical or mental impairments that inhibit their ability to get to the bus stop, climb bus steps, maneuver inside the bus and/or perform other mobility tasks.

Once a need is established, based on one of the above criteria, a determination will be made as to whether the condition is:

- A. Permanent- permanently disabled, unable to be trained to use regular route.
- B. Seasonal/ Conditional- for persons needing door-to-door service during winter conditions or under other special conditions.

NOTE: Persons attending Community Educations' Adult Adaptive Program for physically and mentally handicapped individuals may also be approved for ZIPS. Service to such persons is restricted to transport "to and from Community Education classes".

- C. Temporary- for persons needing service until condition changed or are trained to use regular route.

2.2 Exclusions

1. Any person whereby there is a foreseeable need for medical attention during the course of the trip.
2. Any person with a contagious disease.
3. Persons requiring external life support equipment.
 - Persons who normally use personal oxygen supply or similar type of equipment which is carried by the passenger or attached to the wheelchair would be considered eligible. ZIPS reserves the right to refuse service due to certain types of equipment which may effect the access, safety or comfort of other passengers.

2.3 Temporary Disability

ZIPS Dial-A-Ride is for persons with a permanent or temporary disability. A person with a temporary disability is eligible for service for the duration of the disability. An estimate of the time length of the disability should be provided when applying for service. At the end of the time period indicated on the application, the applicant must inform the ZIPS system (in writing) if there is a need to extend the approval for an additional period. .

Persons with temporary disabilities are to be considered for ADA paratransit eligibility. This may include: someone with a medical condition such as a broken leg who is temporarily unable to use the fixed route service; someone who has recently undergone an operation or other medical treatment and who is unable to use the fixed route service; or someone with a cognitive disability that can be expected to be resolved over time through treatment or medication.

2.4 Application Procedure

In order to use ZIPS service all individuals must have submitted an application and physician's certification, be certified as eligible and issued an identification number. The steps for applying are as follows:

1. Obtain an application and physicians certification form (provided by ZIPS). Forms are available by mail by calling (507) 328-2439. Applications are also available by going to www.rochesterbus.com and clicking the ZIPS BUS link.
2. Complete the application. A physician must complete and sign the physician certification form.

3. Mail completed forms to: Department of Public Works, Transportation Division, 201 4th Street SE, Rm. 108, Rochester, MN 55904. Forms can be faxed to 507-328-2401.

NOTE: Eligibility shall not be automatic based on physician's certification. Further information may also be required.

2.5 Review, Approval and Challenge

1. Applications and any other required information will be submitted to the Department of Public Works (DPW) which shall make a review and determination. The DPW may also require additional information if needed. A determination will normally be made within 10 days of receiving the application.
A determination of "disapproved" will be made in writing explaining why the client was rejected and what their options are. The letter of rejection will include a list of agencies the applicant could contact for assistance in challenging the determination.
2. The applicant may challenge the determination made under #1 by contacting the DPW and requesting reconsideration, providing new or additional information or references as needed. The DPW will issue a second determination. This second determination will normally be made within 10 working days of receiving the request and any additional information required.
3. If the second determination made under #2 is negative (the person is found not eligible), DPW will advise the applicant that they may appeal the decision to the Citizens Advisory on Transit (or an Advisory Subcommittee). If the applicant indicates they want to appeal, DPW will submit the application and information available to the Eligibility Review Committee and notify the applicant of the meeting date. A physician may be requested to appear before the Committee on the applicant's behalf in support of the applicant.

This second determination of non-eligibility may be appealed within 60 days of the date of the determination. (A new application may be submitted at any time.) All appeals will be decided within 30 days. Temporary eligibility will be granted to persons whose eligibility appeal has not been decided within 30 days.

NOTE: The letter of negative determination will also provide a list of agencies that would assist the individual in challenging the finding. Under "Review, Approval and Challenge", Step #2 may help to expedite the process where in some cases the applicant may have inadvertently omitted pertinent information.

2.6 Eligibility Review Committee

The “Eligibility Review Committee” consists of a minimum of any three members of the Citizens Advisory on Transit.

2.7 Presumptive Eligibility for Visitors

Service will be provided to registered riders from similar systems for a period of 21 days based on presentation of a certification from another jurisdiction.

Service will also be provided for up to 21 days to non-residents from jurisdiction without such services based on: proof of non-residency and medical documentation for hidden impairments such as a letter from a physician.

After 21 days the individual must submit an application for review and approval under the regular process.

3.0 GENERAL INFORMATION

3.1 Service Area

ZIPS serves the City of Rochester and four surrounding townships of Cascade, Haverhill, Marion, and Rochester.

3.2 Operating Hours

| | |
|------------|--|
| WEEKDAYS: | Monday through Friday, 5:30 AM to 10:00 PM, excluding Holidays. |
| SATURDAYS: | 7:00 AM- 7:00 PM |

Note: Operating hours are subject to change to match regular route bus service hours per the Americans with Disabilities Act.

3.3 Fares

All days, at all times, in all service areas: 5 rides for \$12.50 (as of 6/1/2008).

* Fares are subject to change.

** Children under 6 years of age accompanied by an adult ride free.

Tickets may be purchased from the driver or at the dispatcher's office. Each time the passenger boards the bus is considered one ride. Cash fares on a single ride basis are not accepted.

3.3.1 Agency Fares

ZIPS may charge a fare higher than the regular fare to social service agencies and other organizations for trips guaranteed to such organizations.

Agency Fare: \$5.50

Note: Agency fares were established by the City of Rochester in July, 2001. The Federal reference to agency fares under ADA can be found in 49 CFR 37.131. Arrangements for monthly invoicing of agency fares are made through the Rochester Department of Public Works. The City agreed to apply an "agency fare" to social service agencies that receive a per diem reimbursement for their clients' transportation.

3.4 Refunds

No refunds will be given for unused or partially used tickets. Persons are allowed to transfer their tickets to other eligible users per Section 3.5.

3.5 Transfer of Tickets

The transfer of tickets between eligible users is allowable. The new holders' ID number should be written on the face of the ticket.

4.0 TRIP RESERVATION PROCEDURES

4.1 Requesting a Ride

Reservations for service may be made by calling 288-8404.

When you request service be sure to provide the dispatcher your name, location of both pick-up and destination, time service will be needed, whether you will require a wheelchair position and the number of persons that will be accompanying you.

It is ZIPS goal to provide a pick-up/drop-off time within 45 minutes of the time requested provided the request was made at least the day before. The dispatcher will give an approximate pick-up/drop-off time when the reservation is made.

If the vehicle is expected to arrive more than 30 minutes late, the dispatcher will attempt to inform passengers by telephone of the revised

pick-up time. (This is dependent on the passengers waiting location and access to a telephone.) .

4.2 Advance Notice

Rides are scheduled on a first-come-first-served basis. Passengers are encouraged to make reservations the day before. Exceptions would include subscription trips as defined under Section 4.4 and the return trip from medical appointments.

Reservations may be made 7 days a week, Sunday through Saturday, during the hours of 6 AM- 6 PM, Monday through Friday, and 8 AM- 5 PM weekends.

Reservations will be taken up to 14 days prior to the trip.

Riders should be aware that there are certain peak demand times such as early morning and mid-afternoon which may affect the availability of service.

4.3 Last-Minute Reservations

ZIPS will try to serve requests on a shorter notice. However, the chances of being served at the requested time diminish with shorter notice.

4.4 Subscription Service (Standing Orders)

In some instances such as daily employment trips it may be an efficiency to allow a standing order for service at a prescribed time of day. In such instances, daily advance notice by users may be waived. Such users would call in only for cancellations.

4.5 Cancellation of Reservation

Users are required to provide a minimum of one-hour notice for cancellation of request.

4.6 Vehicle Arrival and Waiting

The operator will be allowed a 20-minute “time window” for each stop.

- The 20-minute window is the period of time the bus may arrive at a pick-up point. This period is from 10 minutes before to 10 minutes after the assigned pick-up time. An illustration is provided as follows:

| Assigned Pick-Up Time Window | | |
|------------------------------|---------|---------|
| 8:50 AM | 9:00 AM | 9:10 AM |

- The waiting period is a maximum of 2 minutes not to exceed the 20-minute window. Therefore, in the above example the bus could arrive anytime during the 20-minute window and wait 2 minutes up to 9:10 AM.
- In consideration of this policy it is still preferable that passengers be ready to go at the appointed time.
- The driver may exercise discretion knowing the situation or circumstances of a passenger.
- If the waiting period has expired and the passenger is in sight or has signaled they are coming the driver should wait.

4.7 Penalty For No Shows

Three “No Shows” by a passenger may result in termination of service (Refer to Section 5.9). A “No Show” is when the vehicle arrives for a scheduled pick-up and a passenger does not appear within the two-minute waiting period or had not cancelled at least one hour prior to the scheduled pick-up.

A minimum charge of \$5.00 will be assessed against “non shows” occurring when using ZIPS taxi service (Refer to Sections 6.5 and 6.6).

4.8 Bus Delays

If the vehicle is expected to arrive more than 30 minutes late, the dispatcher will attempt to inform passengers by telephones of the revised pick-up time. (This is dependent on the passengers waiting location and access to a telephone.)

5.0 SERVICE STANDARDS

5.1 Children

Children ages 9 and under must be accompanied by adult.

The number of children per adult is limited to the capabilities of the adult in regards to supervising the children (Section 5.2, Items 1, 3 and 4 also apply to children accompanying a rider).

5.2 Assistants/ Companions

ZIPS riders are allowed to be accompanied by an assistant or companion. The following shall apply to all individuals defined as assistants/ companions:

- 1.) The companions' pick-up point and destination must be the same as the user.
- 2.) Only one companion may ride with any eligible user at one time.
- 3.) The eligible user's ticket must be punched for each ride.
- 4.) Companions may not purchase a ZIPS ticket for their own use.

Personal care attendants may accompany a passenger without charge. The need for an attendant should be indicated on the application or by a separate letter for current riders. Guests may ride at an additional fare.

5.3 Disbursement of Tickets

In accordance with the City's Specifications for ZIPS Dial-A-Ride the City's role is to provide the necessary passes for resale to the operator.

In order to control the flow of tickets and keep an accurate count of passes sold the passes will be kept at the City Clerk's office. The Clerk will dispense passes to the operator and other agencies designated as agents for the sale of passes. The passes will be kept track of by documenting each transaction on the Ticket Disbursement Inventory Form. The Clerk will require the operator or agency to sign for the passes. Passes will be dispensed in groups, as requested, with the quantities and numbers of the first and last tickets dispensed. The value of those passes provided the operator will be deducted from their monthly bill to the City.

Individuals purchasing the tickets from the operator must be included on the existing eligibility list. Proof of eligibility will be considered as inclusion on the existing list or possession of the valid ID number issued by ZIPS. The individual's ID number must be printed in the space

provided on each pass. An exception will be made for persons purchasing tickets as a gift for an eligible user.

5.4 Purchase of Tickets By Agencies

The City may also consign tickets to agencies such as ABC, Senior Citizens Center, etc. The same procedure as outlines in Section 5.3 will apply. The value of passes consigned will be billed to the agency on a monthly basis. An agency must have prior approval from the Department of Public Works before being consigned tickets.

5.5 Medical Assistance Trips

The Olmsted County Department of Social Services may opt to use ZIPS Dial-A-Ride for transporting of medical assistance clients. In such case the Social Services Department may pick up a sufficient supply of tickets each month from the operator. The operator will in turn invoice Social Services on a monthly basis for such tickets consigned based on the number of tickets times the face values. Social Services will be responsible for disbursement of tickets to their eligible clients who must also meet ZIPS eligibility requirements. The Social Services Department will mark the face of each ticket “medical”. All individuals receiving such tickets must also be included on the ZIPS master or temporary rider list. Individuals not on either list will be required to fill out an application and be certified as an eligible user.

Individuals utilizing tickets marked “medical” must identify a location where “medical services are available when requesting a ride. Such users must be delivered and picked up where medical services are available. (The tickets may not be used for non-medical or side trips).

5.6 Definition of Medical Trips

Individuals utilizing tickets marked “medical” must be delivered to and picked up at a location where medical services are provided. Locations where medical services are provided include medical clinics, hospitals, doctor’s offices (both public and private), dentists, opticians, chiropractors, orthopedic sales and service, etc.

An eligible medical trip usually constitutes two trips, one to the location where medical services are provided and another to return home. The usual trip, as described above, requires two punches on the passenger’s ticket. In the usual case, a medical trip should have no more than two punches.

Individuals requesting to be dropped off for miscellaneous shopping after a medical appointment would be charged by punching their regular ZIPS tickets when reboarding. If the passenger is dropped off to pick up a prescription, the medical ticket may be punched when reboarding. The passenger must show the prescription package when reboarding.

5.7 Transport of Pets

Only certified, trained animals that are considered essential aids to handicapped individuals (such as seeing eye dogs) are allowed on the ZIPS system. Such accompanying animals must be indicated when calling in for a reservation.

5.8 Transport of Packages and Goods

The number of packages/parcels is limited to what the passenger can reasonably carry in one trip. Packages/ parcels must fit on the passenger's lap when seated.

5.9 Reasons for Termination of Service On a Temporary or Permanent Basis

The ZIPS system reserves the right to terminate service to any individual based on the following reasons:

- a. A person is no longer eligible based on disability status.
- b. A person's disability or condition is judged to be medically unstable and there is the foreseeable need for medical attention during transport.
- c. A person has a continual problem with "no shows" define under Section 5.11.
- d. A person has exhibited behavior problems and/or disorderly conduct during transport.
- e. A person has caused incidents or situations that affect the delivery of service and are disruptive to the service.

5.10 Disorderly Conduct/ Behavior Problems

Behavior problems and/or disorderly conduct include; action or behavior, by an individual that diminish the safety and comfort of the passenger or passengers cause damage to persons or property, disrupt service and the attention of the driver.

Disruption of service includes actions or situations that affect the safe and timely transport of passengers.

5.11 No Shows

“No shows” are defined as reservations for service where the vehicle has been dispatched to the pick up point and the individual is not present or cancels without prior notification.

5.12 Procedures for Termination of Service

The operator shall keep a record of such incidents as described under Section 5.9. Such records shall list individual’s name, date of occurrence and nature of incident. Two incidents will result in a written notice from the operator explaining the inconvenience caused to the service and other users. A third incident may result in termination of service to the user. The operator with the concurrence of the City shall notify the user of such termination by letter.

Termination of service for reasons listed under Section 5.9, Items C, D, and E shall be for a minimum of one year.

The system may temporarily terminate service to an individual on an immediate basis if the incident is considered to be a threat to the safety of the individual and/or other passengers. The operator will, in such cases, consult with the individual or responsible guardian. Immediate termination of service will require concurrence of the City.

An appeal of a determination to terminate service to an individual may be made within 60 days of the date of notice of termination (under reasons listed under Section 5.9), by notifying the Department of Public Works. The Department of Public Works will notify the Eligibility Review Committee of the challenge and schedule a review for the next available meeting of the Committee at which time the individual may attend and discuss the situation. The Eligibility Review Committee shall make a final determination on all cases involving a challenge within 30 days. A written notice of such findings shall be sent to the individual. Temporary reinstatement will be granted to persons whose appeal is not decided within 30 days.

5.13 Driver Assistance

Door to Door- For passengers not having their own assistant the driver will upon request (or in an obvious situation where assistance is needed) assist passengers from inside the door of their origin to inside the door of their destination.

Onboard Buses- Regardless if the passenger has an assistant the driver is responsible for the passenger from point of entry on the bus to insuring the

passenger is sufficiently secured in a seat or wheelchair tied-down position.

5.14 Unsafe Loading Conditions

ZIPS reserves the right to refuse to service or load at a location deemed as unsafe. (Examples include; locations where the driver must assist a wheelchair passenger down steps, locations where the bus must back in or out through a narrow driveway with parked vehicles and children possibly present).

The driver will report such locations to the company management that will in turn telephone the passenger and request a more satisfactory loading area. If no satisfactory location can be arranged the operator shall notify the passenger in writing that ZIPS will not load in that location.

5.15 Registering Complaints

Complaints should be made in writing to the Department of Public Works, 201 4th Street SE, Rm. 108, Rochester, MN, 55904, Telephone: (507) 328-2439, TDD #: (507) 285-8086.

5.16 Use of Seatbelts, Tie-downs and Lifts

Pursuant to State Operating Standards for Special Transportation Services, the ZIPS System will not load ambulatory persons via any lift platform not equipped with side handrails unless such persons are seated in a wheelchair.

All persons must be secured by seatbelts at all times. For those riding in wheelchairs, the driver will secure the wheelchair devices and engage separate seatbelts. Drivers will ensure that the passengers using seats will use the seatbelts at all times. A shoulder harness is available to all passengers upon request.

5.17 Capacity/ Standees

Passenger loads exceeding seated and wheelchair tie-downs capacity shall not be permitted. No standees are allowed on ZIPS Dial-A-Ride. All passengers are to remain seated until the vehicle comes to a complete stop.

5.18 Assistance for Hearing and Visually Impaired

Special assistance and information is available to hearing or visually impaired persons by calling the State Services for the Blind (Braille Transcription Unit) 1-800-652-9000 or for hearing impaired the City of Rochester's telephone device for the deaf (TDD) number (507) 285-8086.

5.19 Smoking Prohibited

Smoking is prohibited on all ZIPS buses- at all times.

6.0 DISPATCHING AND ROUTING

6.1 Routing

Operator shall design the most cost efficient route for each day/trip by considering the origin and destination of each customer with a reservation for that day.

6.2 Travel Time

It is ZIPS goal that in vehicle travel time for passengers within the City Limits shall not exceed 45 minutes.

In vehicle travel time for passengers within the four surrounding townships should not exceed 60 minutes.

When a reservation for service is being made the dispatcher will give the caller an estimate of travel time for the particular trip.

6.3 System Capacity Limitations

All requests shall be met within constraints of available capacity in terms of seating and scheduling. Individuals denied service due to capacity constraints will be offered an alternate time or referred to other available services.

6.4 Operators Log of Turndowns

The operator shall keep a log of all turndowns (requests denied) and the reason the request was denied. A turndown is a denial of service, defined as not being able to meet a passenger's request within an hour before or an hour after the requested pick-up/ drop-off time.

6.5 Extended Taxi

Extended taxi is used in lieu of buses on evenings and Saturdays when due to low demand it becomes more cost effective to purchase service by the ride rather than vehicle hour. The system is activated by the dispatcher whereas if a defined threshold measured by the number of requests is not met, all requests are assigned to the taxi and the phone then forwards incoming ZIPS calls to the taxi dispatcher.

The City may opt to contract for extended taxi service in lieu of ZIPS bus service. Payment for such services shall not exceed the usual metered taxi rates regardless of the number of passengers carried during the course of a trip. The contractor shall select the shortest possible route and group such requests for service in the most economical route. Metered charges shall commence after boarding of the first passenger and end upon the arrival at the last destination. Such service shall be available to all persons certified as eligible for Dial-A-Ride service by the City.

The contractor shall include in its monthly invoice a statistical report of all on-call taxi rides provided for the month including the number of trips names of individuals served, pick up and destination points and number of miles and minutes of each trip.

Passengers shall be required to use a ZIPS ticket for such service on the basis of one punch per one-way ride.

The City reserves the right to limit the service area for this service to the corporate limits of Rochester, Minnesota. All operating policies and standards for ZIPS service as appropriate shall apply.

6.6 Supplemental Taxi

The City may opt to contract for supplemental taxi service. Supplemental taxi is used to augment regular ZIPS bus service for temporary increases in demand. Arrangements are worked out by the Department of Public Works and the operators assigning specific passengers usually with common origins and destinations for these trips.

Payment for such rides shall not exceed the usual taxi rates as approved by the City of Rochester. Authorization for such rides will be made by the Rochester Department of Public Works by letter detailing the time, route pick-up locations and cost.

Contractors shall include in its monthly invoices a statistical report of grouped taxi rides for the month including the number of minutes, miles, and passengers on a daily basis.

Passengers will be required to use their regular ZIPS tickets on the basis of one punch per one-way ride. All operating policies and standards per this specification as appropriate shall apply.

6.7 School Transportation

Transportation to and from school (K-12) and/or school related activities is not the responsibility of ZIPS and such trips shall be ineligible for service.

6.8 Charter prohibition- ZIPS is prohibited from providing charter service per U.S. Department of Transportation regulations. 49CFR Part 604.

7.0 PERSONNEL

7.1 General

The private operator is responsible for employing qualified drivers and other support personnel sufficient to operate the services as required under its contract with the City. Personnel shall be instructed by the operator to insure proper attitude, courtesy and safety in transporting passengers. Drivers shall be familiar with the operation of vehicles and the geographic area served.

The operator is responsible that drivers meet the following referenced regulations:

- Minnesota Statutes, Chapter 221.031.
- Federal Motor Carrier Safety Regulations, Parts 391-396.
- MN/DOT Motor Bus and Truck Rules, Chapter 8850.

7.2 Driver License Requirements

All ZIPS drivers are required to have a valid Class “B” Minnesota Driver License, be at least 18 years of age and have not less than one year experience as a licensed driver.

7.3 Driver Violation Record

All ZIPS drivers are required to have a driving record clear of revocations, suspensions and cancellations for the past three years for conviction of traffic violations; conviction for failure to have in possession while operating a motor vehicle evidence of insurance, as required by Minnesota Statutes; conviction for driving a motor vehicle without valid license.

The operator shall review the driving record of each driver before hiring and annually thereafter. A copy of each driver’s driving record must be kept on file by the operator.

7.4 Physical/ Medical Requirements

All ZIPS drivers, prior to hiring, must meet the physical/ medical requirements as defined by Minnesota Statutes 14 MCAR 1.6009. Every two years each driver shall obtain a form prescribed by the State of Minnesota, a physician's statement that the driver has no current medical condition which interfered with the driver's ability to drive safely. Drivers must be able to assist passengers into and out of the vehicle and operate a wheelchair lift or ramp.

7.5 Pre-Driver Training

Prior to driving all ZIPS drivers must have completed training as follows:

- Operation of vehicle to be assigned.
- Familiarization with the location and use of emergency equipment.
- Passenger assistance techniques; including discussion, demonstration and practice of handling wheelchairs, operation of lifts and tie-downs and assistance for ambulatory passengers.
- Operation of the radio.
- Instruction and demonstration of the wheelchair lift, tie-downs and any other special equipment.
- Instruction in procedures for medical emergencies and accidents.
- Instruction in conducting the daily vehicle inspection.
- Review and discussion of operating policies and guidelines.

7.6 Additional Training Requirements

Within 45 days after beginning driving each driver must complete the following:

- 4 hours of First Aid.
- 8 hours of classroom instruction in defensive driving.
- 8 hours of abuse prevention.
- 8 hours of passenger assistance training.

7.7 Driver Training Refresher Courses

Every three years drivers shall complete a refresher course comparable to the training requirements outlined in Section 7.6.

7.8 Driver Uniforms/ Appearance

The operator shall provide seasonal uniforms to all drivers. Uniforms shall include a hat, pants, shirt and jacket. Drivers are expected to maintain a clean and neat personal appearance.

7.9 Driver Behavior

Drivers are required to show courtesy to all passengers. The use of profanity is prohibited. Proof of discourteous, abusive, insulting or inflammatory conduct towards the public may be reason for suspension or termination.

7.10 Reporting of Incidents/ Accidents

Incidents including confrontation with a passenger, behavior problems, or passenger equipment problems (e.g. wheelchairs) shall be reported to the General Manager within 24 hours.

Drivers shall refer passengers with comments or complaints to the General Manager. Drivers should resist arguing with passengers.

Situations requiring immediate attention such as jeopardizing the safety or delivery of service shall be immediately reported by radio to the General Manager.

All accidents shall be reported immediately to the General Manager.

The General Manager shall notify the City of all incidents/ accidents within 48 hours of occurring. This shall be followed up with a written report to the City within 5 working days of the occurrence.

7.11 Driver Comments and Suggestions

Drivers are encouraged to submit comments and suggestions regarding any area of service to the General Manager. Such comments shall be forwarded to the City during periodic City/ operator meetings.

7.12 Driving Record

A driver must, for the past three years, have a driving record clear of:

- A. A license cancellation under Minnesota Statutes, section 171.14; a revocation under Minnesota Statutes, sections 169A.52 and 171.17; and a suspension under Minnesota Statutes, section 171.18;
- B. A conviction for operating a motor vehicle without insurance under Minnesota Statutes, section 169.797;
- C. A conviction for driving a motor vehicle without a valid license for the class of vehicle driven under Minnesota Statutes, section 171.02;

- D. A conviction for driving under the influence of alcohol or a controlled substance under Minnesota Statutes, section 169A.20, or an ordinance that conforms to that section; and,
- E. A conviction for alcohol-related driving by a commercial vehicle driver under Minnesota Statutes, section 169A.20, subdivision 1, clause (6).

Subpart 6. Criminal record.

A driver must have a criminal record clear of any conviction;

- A. As a habitual offender for driving under the influence of alcohol or a controlled substance under Minnesota Statutes, section 169A.24 or 169A.25; and,
- B. Of a crime or anticipatory crime against persons, or a crime or anticipatory crime reasonably related to the provision of transit services, such as those crimes listed under Minnesota Statutes, chapter 8880.0800.

7.13 Driver Offenses

A driver becomes disqualified if the driver is convicted of one of the following offenses committed while on-duty and employed (including independent contractor) by a motor carrier or engaged in activity furthering commercial enterprise (49 CFR Part 391):

- driving under the influence of alcohol (or with alcohol concentration of .04% or more)
- refusal to undergo testing for alcohol
- driving under the influence of, transportation, possession, or unlawful use of an illegal drug
- leaving the scene of an accident in a CMV
- any felony involving the use of a commercial motor vehicle
- violation of an out-of-service order

8.0 EQUIPMENT

8.1 Vehicle Specifications

ZIPS passenger vehicles all shall comply with standards of the Minnesota Department of Transportation's Operating Standards for Special Transportation's Operating Standards for Special Transportation Services (14 MCARs 1.6009).

All wheelchair lift platforms shall be equipped with handrails.

8.2 Right to Refuse to Transport Equipment

ZIPS reserves the right to refuse to carry assistance equipment (e.g. wheelchairs) considered to be non-standard or unique in design or size. Driver's shall report such incidents/ or equipment to the General Manager per Section 7.

8.3 State Requirements and Inspection

All vehicles shall be inspected daily prior to being put into service following the "Daily Driver Inspection" form provided by the City.

The operator shall conduct a more detailed vehicle safety inspection once each week or every 1,000 miles, whichever comes first. Such inspection shall conform to the City's maintenance procedures and manufacturer's recommended maintenance schedule.

9.0 DATA PRACTICES

9.1 Rights of Subjects of Government Data

In accordance with the Minnesota Government Data Practices Act, the City of Rochester is required to inform clients of their rights as they pertain to the information collected about them. Public information is that information which is available to the general public; and, confidential information is the information that is not available to the public. The information we collect from them is either public or private. Public information includes the name and address of the client. All other information collected on the application is considered private.

The information required from clients is used for the following purposes:

- To distinguish them from other clients by the same or similar name.
- To determine their eligibility for services provided by the City of Rochester.
- To make reports, do research and evaluate our program.
- To investigate reports of persons who may receive services fraudulently.

Clients are not required to provide the information. However, if they do not supply the required information, the City of Rochester will not be able to determine their eligibility for services.

9.2 Dissemination of Data to Protection and Advocacy Systems

The City adheres to Minnesota Statute 13.89, Government Data Practices, regarding the dissemination of data to protection and advocacy systems. The dissemination and use of the private data collected is limited to that necessary for the administration and

management of the program. Persons or agencies with whom this information may be shared include:

1. City of Rochester department personnel involved in determining client eligibility, or administering the program in connection with which the applicant is submitted.
2. Olmsted County departmental personnel involved in the program.
3. City Council members (only information needed to approve the application).
4. Federal, State, County and local and contracted public auditors.
5. Law enforcement personnel, only in the cases of suspected fraud related to the applications.
6. Those individuals or agencies to whom they give their express written permission.
7. The bus service company and its employees.
8. The Subcommittee on ZIPS Eligibility of the Citizens Advisory on Transit to review cases of contested eligibility.
9. Medical, mental health and social service agencies listed by the client as a reference.
10. Guardians or other legal custodians or conservators (if they have one).

Data on clients and residents of facilities or programs licensed pursuant to Minnesota Statutes 144, 245A, and 252, subdivision 2, may be disseminated to the protection and advocacy system established in this state pursuant to Part C of Public Law Number 98-527 to protect the legal and human rights of persons with mental retardation or other related conditions who live in residential facilities or programs for these persons if:

1. The protection and advocacy system receives a complaint by or on behalf of that person; and
2. The person does not have a legal guardian or the state or a designee of the state is the legal guardian of the person.

Data on an individual who has significant mental illness or emotional impairment and who is an inpatient or resident in a facility rendering care or treatment may be disseminated to the protection and advocacy system established in this state pursuant to Public Law Number 99-319 to protect the rights of mentally ill individuals if:

1. The protection and advocacy system receives a complaint by or on behalf of the person or there is probable cause to believe that the person has been subjected to abuse or neglect, as defined in Public Law Number 99-319;
2. The person is by reason of a mental or physical condition unable to authorize the system to have access to data; and
3. The person does not have a legal guardian or the state is the legal guardian of the person.

Unless otherwise authorized by state statutes or federal law, other governmental agencies utilizing the reported private data must also treat the information as private.

They may wish to exercise their rights as contained in the Minnesota Government Data Practices Act. These rights include:

1. The right to see and obtain copies of the data maintained on them.
2. The right to be told the contents and meaning of the data.
3. The right to contest the accuracy and completeness of the data.

10.0 STATE AND FEDERAL REGULATIONS. AUTHORITY TO SUSPEND OR CHANGE POLICIES

10.1 Precedence of State and Federal Regulations

Changes in State and Federal regulations relating to operation of service shall take precedence over these policies.

10.2 Authority of the Department of Public Works to change or suspend policies.

The Director of the Department of Public Works is authorized to amend or suspend these policies and/or establish new policies as needed with the exception of Sections 2.1, 2.2, 2.3, 3.1, 3.2 and 3.3. Any changes affecting Sections 2.1, 2.2, 2.3, 3.1 and 3.3 shall first be approved by the Common Council of the City of Rochester, Minnesota. Any permanent changes to other sections shall be reported to the City Council on an annual basis.

NOTE: The omission of any item from this policy guide shall not exclude the operator from any responsibility and/or requirements included in the City's Operator Contract, Specifications for ZIPS Dial-A-Ride or Vehicle Maintenance Procedures Manual.