

Yankton Transit Reasonable Modification Policy

Policy Overview

On March 13, 2015, the US DOT issued a Final Rule under the ADA and Section 504 of the Rehabilitation Act of 1973, "specifically to provide that transportation entities are required to make reasonable modifications/accommodations to policies, practices, and procedures to avoid discrimination and ensure that their programs are accessible to individuals with disabilities."

Reasonable Modifications

Yankton Transit shall make reasonable modifications to policies, practices, or procedures when such accommodations are necessary to avoid discrimination on the basis of disability unless Yankton Transit can demonstrate that making the accommodations would fundamentally alter the nature of the service, program, or activity or result in an undue financial and administrative burden.

Requests for Reasonable Modifications

Requests for reasonable modifications may be made by anyone who believes that an existing policy, procedure or practice needs to be modified to ensure that the transportation services provided by Yankton Transit are accessible to persons with disabilities consistent with the US DOT's "Reasonable Modification of Policies and Practices" Final Rule.

Individuals requesting modifications shall provide their contact information and describe what accommodation is needed in order to use the service. Individuals requesting modifications are not required to use the term 'reasonable modification' when making a request.

Requests may be emailed to Yankton Transit at terry.yanktontransit@iw.net or mailed to Yankton Transit, 901 E. 7th St., Yankton, SD 57078

Whenever possible, requests for modifications shall be made and determined in advance, for example, during the paratransit eligibility process or through customer service inquiries. Where a request for modification cannot practicably be made and determined in advance, operating personnel shall make a determination of whether the modification should be provided at the time of the request.

Determinations to grant or deny a requested modification shall be guided by the provisions of Appendix E of 49 CFR Parts 27 and 37. Yankton Transit will make, communicate, and document determinations within 21 days after receiving the reasonable modification request.

Designation of Responsible Employee

The Transit Supervisor is the employee designated to coordinate efforts to comply with this policy and can be contacted as follows:

Terry Kirchner, Transit Supervisor
terry.yanktontransit@iw.net
901 E 7th St, Yankton, SD 57078
605-665-4610

Grounds for Denial

Requests for modification may be denied only on one or more of the following grounds:

1. Granting the request would fundamentally alter the nature of the entity's services, programs, or activities.
2. Granting the request would create a direct threat to the health or safety of others.
3. Without the requested modification, the individual with a disability is able to fully use the entity's services, programs, or activities for their intended purpose.

In cases when a request for a reasonable modification is denied, Yankton Transit shall take any other actions as necessary to ensure that the individual with a disability receives access to the services provided by Yankton Transit.

Nondiscrimination

In accordance with the Final Rule, it is not discrimination under this part for Yankton Transit to refuse to provide service to an individual with disabilities if that individual engages in violent, seriously disruptive, or illegal conduct, or represents a direct threat to the health or safety of others. However, Yankton Transit shall not refuse to provide service to an individual with disabilities solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of Yankton Transit or other persons.

