

Summary of USDOT's Reasonable Modification Final Rule

- Effective Date: July 13, 2015
- Reasonable Modification applies to fixed route and paratransit
- Reasonable Modification does not require universal door to door transportation – Systems can remain curb to curb by policy as long as they consider and grant (as deemed appropriate) individual requests for door to door service
- In fixed route, reasonable modifications do not require route deviations, but could include special passenger notifications or the driver positioning the fixed route vehicle to avoid an obstacle in order to obtain accessibility
- Reasonable Modification does not require the assignment of a particular type or model of vehicle to service as long as the vehicle is ADA compliant
- Requires development of process (plan) and complaint process prior to implementation date
- Requires designation of an individual as a Reasonable Modification Coordinator
- Encourages determinations of reasonable modifications during eligibility process

- Presumes most reasonable modification requests will be made in advance at eligibility or through reservations process
- Does not require individuals to make reasonable modification requests in writing, in advance of use or use the term “reasonable modification”
- Does require transit agencies to document any reason to deny modification request
- Requires that real time reasonable modification requests to be evaluated and accommodated (if deemed appropriate) by vehicle operators. Transit operators can require the operator to contact a supervisor prior to granting or denying a request as long as the operator has two way communications.
- The rule only allow a denial of reasonable modification request for the following three reasons:
 - Modification would be a fundamental alteration of the service provided
 - Granting the modification would expose the requestor or the operator or other riders to a “Direct Threat”.
 - The modification is not necessary for the individual to actually use the service
- If a modification is denied, the operator has a responsibility to provide an alternative “work around” if feasible to ensure accessibility
- Requires public notification of the plan and the contact information for the Reasonable Modification Coordinator
 - Phone number, email, physical address
 - Such information must be available in printed materials and on web site.

- Materials should describe process for requesting reasonable modifications and process for filing a complaint
 - Requires prompt response to requests or complaints
- USDOT has provided Appendix E to provide illustrative examples of both appropriate and unacceptable “reasonable modifications”