

Mountain Express

Reasonable Modification Policy

Date: Adopted by the Mountain Express Board of Directors on 10/25/2018

What is Reasonable Modification?

The Mountain Express (MX) is committed to providing customers including those with disabilities with safe, reliable, accessible and user-friendly services. As part of this commitment, MX has adopted this policy to provide a procedure for receiving, processing and responding to requests for reasonable modifications to MX's Policies or practices by individuals with disabilities.

Legislation

On March 13, 2015, the Department of Transportation issued a Final Ruling regarding 49 CFR Parts 27 and 37 Transportation for Individuals with Disabilities; Reasonable Modification of Policies and Practices. This ruling requires public entities providing designated public transportation services to make reasonable modifications/accommodations to policies and practices to ensure program accessibility. The rule further requires that public entities adopt a formal process for tracking and responding to said requests for modifications.

Reasonable Modifications Request Form

- Individuals requesting modifications shall describe what they need in order to use the service.
- Individuals requesting modifications are not required to use the term "reasonable modification" when making a request.
- The MX personnel shall make a determination of whether the modification should or can be provided.

MX will accommodate requests provided that:

- Fundamental nature of the service, program or activity is not altered, or
- It does not cause a direct threat to the health or safety of others, or
- It does not result in an undue financial and administrative burden, or
- The requester would not be able to fully use the service provided by MX without the modification.
- MX will respond to the requester within 10 days upon receipt of request via telephone and/or mail depending if additional information is needed.
- Determination will be made and notified in writing to the requester.

Granting a Reasonable Modification Request

- As soon as MX determines that a reasonable accommodation will be provided, that decision shall be immediately communicated to the individual. This notice must be in writing in order to maintain the required information for reporting purposes. Upon request, alternative means of response will be provided.
- In choosing among alternatives for meeting nondiscrimination and accessibility requirements with respect to new, altered, or existing facilities, or designated or specified transportation services, MX shall give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate to the needs of individuals with disabilities.

Denying a Reasonable Modification Request

As soon as MX determines that a request for reasonable accommodation will be denied, MX will communicate the basis for the decision in writing to the individual requesting the modification. The explanation for the denial will clearly state:

- the specific reasons for the denial;
- any alternative accommodation that may create the same access to transit services as requested by the individual; and
- the opportunity to file a complaint relative to the MX's decision on the request.

REQUEST DENIALS/PROTESTS

If a request for reasonable modification is denied, the requester has the right to protest the decision by following MX's ADA denial procedures. Copies are available upon request. Also, a copy of the ADA protest procedures will be included with the written decision of denial. MX will take, to the maximum extent possible, any other actions that may be available to them to ensure that the individual with a disability receives the services or benefits provided by MX that would not result in a direct threat or fundamental alteration.

MX REASONABLE REQUEST FORM:

The MX Reasonable Request Form is available on the MX website and on the following page.

MX REASONABLE REQUEST FORM:

Please complete this form to request a reasonable modification of Mountain Express (MX) fixed route bus service. Submit the completed form by:

- Send via email to the MX Transit Manager at Clarsen@crestedbutte-co.gov
- Mail a request to: Chris Larsen, MX, PO Box 3482, Crested Butte, CO 81224

Date: _____ Name: _____

Phone Number: _____ Email: _____

Address: _____

Description of Request: _____

Location: _____

Are you able to ride without this modification?

Comments regarding a reasonable modification request can be sent to Clarsen@crestedbutte-co.gov or call 970-349-5616.