



Town of South Padre Island  
The “WAVE”

WAVE Policy Handbook:  
*Guidelines for Vehicle Operators  
and WAVE ADA Policies and Procedures.*

Table of Contents

RESOLUTION NO. 848 ..... 3  
Purpose ..... 4  
General Information ..... 4  
Articles permitted on WAVE vehicles (with the stated conditions) ..... 4  
Articles Prohibited on WAVE vehicles ..... 5  
Prohibited Behaviors of WAVE Vehicle Operators: ..... 5  
Prohibited Behaviors of WAVE passengers/riders: ..... 5  
Disorderly or Abusive Passengers..... 5  
Policies & Procedures pertaining to services and equipment for Persons with Disabilities 7  
    Training ..... 7  
    Wheel Chair Lift and Securement Use..... 7  
    Lift Maintenance ..... 8  
    Passenger Assistance Guidelines ..... 8  
    Communication and Public Information ..... 9  
    Other Service Requirements..... 9  
    Paratransit Services ..... 10  
        Service Area ..... 10  
        Eligibility Criteria ..... 10  
        Provision of Service ..... 10  
        Response Time ..... 11  
        Performance Standards..... 11

## **RESOLUTION NO. 848**

**A RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS, ADOPTING THE POLICIES PERTAINING TO TRANSPORTING PERSONS WITH DISABILITIES AND DETERMINING ADA PARATRANSIT ELIGIBILITY FOR “THE WAVE”, A SECTION 5311 PUBLIC TRANSIT SERVICE OF THE TOWN OF SOUTH PADRE ISLAND; AND RESOLVING ALL MATTERS THEREOF.**

**WHEREAS**, the Town of South Padre Island wishes to be compliant with all Texas Department of Transportation requirements for Section 5311 funding; and

**WHEREAS**, the Town of South Padre Island must educate its workforce pertaining to the Town’s adopted policies and procedures pertaining to the American with Disabilities Act in order to provide a high level of service to the public; and

**WHEREAS**, providing public transportation vehicles that are easy to access increases the mobility of our visitors and residents, especially those that are elderly and/or disabled, and in turn, enhances the quality of life and economic viability of our community.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS:**

**SECTION 1:** The Board of Aldermen hereby approves and adopts the attached *WAVE Policy Handbook*; and

**SECTION 2:** The City Manager of the Town of South Padre Island, Texas, is hereby authorized to administer this policy on behalf of the Town.

**PASSED, ADOPTED AND APPROVED BY THE BOARD OF ALDERMEN OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS, AT A REGULAR MEETING HELD ON AUGUST 16, 2006.**

**APPROVED:**

**ATTEST:**

**\_\_\_\_\_  
Robert N. Pinkerton, Jr., Mayor**

**\_\_\_\_\_  
Joyce Adams, City Secretary**

## **Purpose**

The purpose of this policy is to establish guidelines to assure that WAVE operators can meet the mission of this transportation organization which is to provide safe, reliable, friendly service to all residents, employees, employers, and tourists in the area in a discriminatory-free manner. In so doing, these policy statements provide guidelines and training requirements for WAVE operators so they can assure the safety of all passengers, especially persons with disabilities. This group of policies will also address eligibility requirements for those individuals seeking paratransit services.

## **General Information**

The WAVE is a fixed route system that operates within the Town of South Padre Island and Port Isabel and has been developed by the Town Board of Aldermen with the input of our drivers and passengers, as well as citizens and business persons on both sides of the Queen Isabella Causeway. The transit service includes two routes that operate daily (except for major holidays such as Thanksgiving, Christmas, and New Years) from 7 a.m. to 7 p.m. (or until 9 p.m. in the spring and summer if funding is available). These routes have been developed to provide stops to the greatest number of work, play, and essential needs areas such as: two (2) post offices, two (2) city halls, 23 of the 24 public beach accesses within the Town of South Padre Island, Port Isabel's Historical Lighthouse, Museum and Library/Community Center, three (3) grocery stores, two (2) pharmacies, three (3) medical facilities, and any number of residences as well as retail, restaurant, and hotel/motel/condo establishments. Furthermore, this transportation service is a fare-free system which relies upon the continued funding of the Texas Department of Transportation through its Section 5311 Rural Transit Program and local match funding from the Town of South Padre Island's Convention and Visitor's Bureau Hotel / Motel sales tax revenue.

The Town of South Padre Island does not assume responsibility for lost or stolen items, nor do any WAVE vehicle operators.

All passengers should use seat belts while riding in the vehicle and the Town will ensure that a sign is posted in all WAVE vehicles encouraging all passengers to use their seat belts.

## **Articles permitted on WAVE vehicles (with the stated conditions)**

- Hand baggage, packages or articles which can be carried by the passenger or stowed under the seats.
- Walkers, carriages and strollers must be folded and/or placed out of the way of the aisles and in a location that does not block the view of the operator.
- Surfboards and other beach paraphernalia are permitted if room allows, but passengers must hold on to them at all times, must keep them out of the aisles, and in a location that does not block the view of the operator.
- Fishing poles with hooks appropriately secured or removed are permitted, if room allows and only if the passenger holds on to it/them at all times, keeps them out of the aisles and in a location that does not block the view of the operator.

- Bicycles, only if the bike rack on the bus is full, broken, or otherwise unavailable for use.

## **Articles Prohibited on WAVE vehicles**

- Sharp objects or instruments.
- Gasoline or other hazardous materials.
- Explosives.
- Firearms.
- Furniture of any kind.
- Car batteries.
- Anything which will cause obstruction of the aisles, obstruct the view of the vehicle operator, or which can potentially harm or injure those on board.

The eligibility of articles not specifically identified with regards to transportation will be determined at the discretion of WAVE Supervisor personnel.

## **Prohibited Behaviors of WAVE Vehicle Operators:**

Operators are specifically prohibited from:

- Entering residences of passengers.
- Performing any personal care assistance for riders, including assisting riders to dress.
- Lifting or carry riders.
- Maneuvering riders or wheelchairs up or down steps.
- Requesting tips or gratuities.

## **Prohibited Behaviors of WAVE passengers/riders:**

- Smoking cigarettes, cigars, or pipes is prohibited.
- Consumption of alcoholic beverages is prohibited.
- Riding as a passenger while possessing or being under the influence of illegal drugs is prohibited.
- Littering in the vehicle is prohibited.
- Passengers may not play radios, cassette tape players, compact disc players, or other sound-generating equipment out loud while on WAVE vehicles; riders may, however, must use earphones or headphones.

## **Disorderly or Abusive Passengers**

Passengers violating the safe operation of a WAVE vehicle or who threaten the well-being of other passengers and/or operators may be denied service, requested to leave the vehicle, banned from further passage, or as a last resort, arrested and charged. The following behaviors are examples of those behaviors covered by this policy:

Intoxicated, disorderly, disturbing other passengers or the operator, creating a safety hazard, yelling, cursing, making obscene gestures, slapping or hitting fellow passengers or the operator, engaging in arguments with the operator or other passengers, or otherwise creating a disruption, which could affect the safe operation of the vehicle.

NOTE: Conduct which is related to a person's disability and which annoys or offends is not to be considered "seriously disruptive". Similarly, service cannot be refused based on an unfounded fear of a particular disability.

Steps for WAVE vehicle operators when dealing with disorderly or abusive passengers:

- Remain calm and professional in manner.
- Inform the passenger that his or her behavior could result in loss of service.
- If the behavior continues, stop the vehicle in a safe area and request that the passenger stop the disorderly or abusive behavior.
- If the behavior continues, inform the Town of South Padre Island Police Dispatch office of the specific passenger, problem and location, and request police assistance.
- The operator will remain at the same location until the police arrive.
- The police will escort the passenger off the bus and the passenger will be informed that he or she will not be eligible to use the WAVE services for three (3) days.
- If, after the three (3) day period has expired and the behavior continues, the passenger will be ineligible to use services unless accompanied by an aide. If the aide is unable to control the behavior, the passenger may be ruled ineligible to use services in the future.

WAVE vehicle operators are required to complete a detailed incident report as soon as possible after the incident.

## **Complaints/Lawsuits**

All complaints against WAVE service and/or WAVE personnel will be initially filed and recorded within a log kept by the Public Works Department for resolution within this division. All complaints should provide sufficient detail to support determinations. Should the complainant continue to be dissatisfied, he or she can appeal the decision or log a complaint with the Director of Public Works, and further to the City Manager. Should the complainant feel additional appeals necessary, he/she may request a hearing by the Town of South Padre Island Board of Aldermen.

## **Policies & Procedures pertaining to services and equipment for Persons with Disabilities.**

ADA requirements apply to all Federal and State contracts and subcontracts. Furthermore, ADA requirements flow down to all third party contractors and their contracts at every tier; therefore, any entity which contracts with the Town of South Padre Island to provide transportation services must also follow the policies and procedures below.

The Town of South Padre Island will advertise and provide notices to the public that The WAVE provides services to persons with disabilities and their companions.

The WAVE provides FREE transportation to all riders, therefore there is no charge for personal care attendants.

### ***Training***

The Town of South Padre Island will ensure that all WAVE personnel are proficiently trained, as appropriate to their duties, to operate vehicles and equipment in a safe manner and that WAVE personnel treat all riders, especially those with disabilities, in a respectful and courteous manner.

### ***Wheel Chair Lift and Securement Use***

All wheelchairs within the following dimension and weight guidelines can be transported safely within WAVE buses: wheelchairs not exceeding thirty (30”) inches in width, and forty-eight (48”) inches in length, measured two (2”) inches above the ground, and which do not weigh more than eight hundred (800) pounds when occupied. In order to assure the health and safety of customers, wheelchairs that exceed the above weight limit and dimensions may be denied access. Wheelchairs are defined to include both three-wheeled and four-wheeled mobility aids. Three-wheeled scooters and other non-traditional designs that fit within these standards must be transported. The Town of South Padre Island does not allow wheelchairs to ride in places other than those designated securement locations in the vehicle, and requires that all wheelchairs be secured during transport, without exception. The passenger is responsible to insure that their personal wheelchair/scooter brakes are functional at all times.

If an individual will not allow securement of his/her wheelchair during transport, then service will be denied. However, if the wheelchair/scooter cannot be secured or restrained satisfactorily by the Town vehicle’s securement system or vehicle operator, the Town cannot deny service. Town personnel may recommend that the user of a wheelchair transfer to a vehicle seat, but the Town personnel cannot require the individual to transfer to a vehicle seat.

When necessary or upon request, the bus operator or Town personnel shall assist individuals with disabilities with the use of securement systems, ramps, and/or lifts and shall leave their seat, if necessary, to provide assistance. The Town shall permit persons with disabilities, who do not use wheelchairs, to use a vehicle lift or ramp to enter or exit the bus if they so request. WAVE personnel shall not refuse to permit a passenger who uses a lift to disembark from a WAVE vehicle

at any designated stop unless the lift cannot be deployed, the lift will be damaged if it is deployed, or temporary conditions preclude the safe use of the stop by all passengers.

### ***Lift Maintenance***

The policy of the Transportation Division of the Town is to check the operation of wheelchair lifts on a daily basis. Any and all deficiencies with the operation or mechanics of the lift will be noted on the Inspection Form and turned in daily for management review. The bus operator will also inform his/her supervisor as well as the mechanic on duty as soon as possible, but no later than the end of the bus operator's shift. Maintenance of the lifts will take place as per the manufacture's manuals and shall be the joint responsibility of the mechanic and all bus operators to so assure. Daily inspection forms and constant communication with the Public Works Department ensures that bus operators report all failures of a lift to operate. When a lift is discovered to be inoperative, the Town shall take the vehicle out of service before the beginning of the vehicle's next service day and ensure that the lift is repaired before the vehicle returns to service. If no spare vehicle is available to replace the vehicle with a inoperable lift, such that taking the vehicle out of service will reduce the transportation service of The WAVE, the Town may keep the vehicle in service with an inoperable lift for no more than five (5) days from the day on which the lift is discovered to be inoperative. In any case, if a vehicle is operating on a fixed route with an inoperative lift, and the waiting period for the next bus with an operating lift exceeds thirty (30) minutes, the Town will promptly provide alternative transportation to individuals with disabilities who are unable to use the bus because its lift does not work.

### ***Passenger Assistance Guidelines***

It is each WAVE operator's responsibility to ensure the safety of all passengers. Because boarding and disembarking assistance may be required by any passenger, but most often is needed by the elderly and disabled, WAVE operators are provided training and instruction on passenger assistance techniques. The following steps should help to prevent mishaps:

- Ensure a safe and well-lit entrance area. Keep the steps clean and the aisle clear of possible obstructions. Sweep steps and aisles daily, and during inclement weather, as often as necessary to keep them free of sand, ice, mud, etc. If floors are slick, warn passengers of this fact so they can watch their step.
- Pay attention to where you stop. Do not leave awkward spaces next to sidewalks, curbs, grates, etc. in which to trip or sprain an ankle. Make sure entrances onto / from the bus are well clear of signs, fire hydrants, mail boxes, etc.
- Observe the passenger and identify potential conditions that might lead to problems.
- Offer assistance if it appears necessary. If accepted, await instructions from the passenger before proceeding. Do not interfere with movements already begun or startle the passenger. If the offer is declined, stand close by, ready to assist as the circumstances warrant.
- Talk the passenger through the assistance process. Explain what you are doing and take their advice if they wish to be assisted in a particular way.
- Always place yourself on the downhill side of the person or the wheelchair to provide assistance, including areas of curbs, steps, ramps, and wheelchair lifts.

- Treat all wheelchairs as if they had no brakes. If a passenger is going to stand or sit, you should always lock the brakes prior to the move. After the brakes are placed in a locked position, test to see if they are holding. Support the wheelchair during all maneuvers, especially on lift platforms and during transfers to and from stationary seats.
- Use “body belts” before leading wheelchairs to keep the disabled passenger in the wheelchair. Make sure lift standees hold handrails securely. Secure all mobility aids on board the vehicle properly.
- Brakes on the wheelchair must be locked during lift operation and transport.
- Do not attempt more than you can safely handle. Obtain additional assistance if necessary.

### ***Communication and Public Information***

The Town of South Padre Island will make available to individuals with disabilities adequate information concerning the transportation services provided by The WAVE. All materials made available to persons with disabilities such as information brochures, application forms, rider handbooks, etc. will be available in accessible formats such as large print, tape, and Braille. Accessible information must be available upon request.

### ***Other Service Requirements***

WAVE operators shall announce clearly and distinctly designated WAVE stops, major intersections, and destination points in order to permit individuals with visual impairments or other disabilities to be oriented to their location. WAVE operators shall announce any stop on request of an individual with a disability. Furthermore, WAVE operators will ensure that adequate time is provided to allow all individuals, but especially those with disabilities, to completely embark or disembark the vehicle.

Each WAVE vehicle shall contain sign(s) that indicate that seats in the front of the vehicle are priority seats for persons with disabilities, and that other passengers should make such seat available to those who wish to use them. At least one set of forward-facing seats shall be so designated.

The Town of South Padre Island will allow service animals to accompany individuals with disabilities on WAVE buses and facilities. Service animals must be properly controlled and must ride on the floor or, if appropriate, in the lap, of the rider. Service animals may not use vehicle seats. Riders in charge of the service animal(s) are responsible for the behavior and hygiene needs of their animals. Service may be refused or discontinued if a service animal is seriously disruptive.

Persons will be permitted to travel with a respirator or portable oxygen supply and other life support equipment as consistent with applicable Department of Transportation rules regarding the transport of hazardous materials.

## ***Paratransit Services***

### **Service Area**

The Town of South Padre Island WAVE complimentary paratransit service shall be provided to persons who are determined eligible in accordance with the eligibility standards as set forth by the USDOT regulations published in the Federal Register on September 6, 1991 (Subpart F 37.123) and as amended.

The WAVE paratransit service area shall be restricted to curb-to-curb service with origins and destinations within the Town of South Padre Island and within three-quarters of a mile of the existing WAVE route in Port Isabel.

### **Eligibility Criteria**

Eligibility for WAVE ADA Complementary Paratransit service is strictly limited to the following:

- Any person with a disability who is unable to board, ride, or disembark from an accessible vehicle without the assistance of another person (except for the operator of a lift or other boarding device). Additional companions of a person with a disability will be provided service if space is available.
- Any person with a disability who could ride an accessible vehicle but the route is not accessible or the lift does not meet ADA standards.
- Any person with a disability who has a specific impairment-related condition that prevents the person from traveling to or from a boarding/disembarking location.
- Any visitor who presents ADA eligibility documentation from another transit agency may receive twenty-one (21) days of service within a 365 day period. For additional service, the visitor will be required to apply for eligibility directly with the Town.

In order to determine eligibility, the person with a disability will need to complete a Paratransit Eligibility Application, which can be obtained at the Town Public Works Department. Within twenty one (21) days from receipt of a completed application, the Town will make a determination of eligibility. The applicant is presumed eligible and will be provided service until/unless the Town determines that the applicant is ineligible and denies the application.

In the event that the Town denies the applicant, the applicant will be informed in writing or other more appropriate official manner, and will be given notice of the right to an appeal. Any applicant aggrieved by the decision of Town staff may appeal that decision to the Town Board of Aldermen within sixty (60) days from the date of denial of eligibility. The Board must provide the applicant an opportunity to be heard and to present information. Should the appeals process take longer than thirty (30) days to determine eligibility, the Town will provide paratransit service from the thirty-one (31) day mark until a decision to deny the appeal is issued.

### **Provision of Service**

ADA Complementary Paratransit service must be provided to an ADA eligible individual, including those with temporary eligibility, the personal care attendant (PCA), if a PCA is necessary, and one other individual accompanying the ADA-eligible individual, if required.

## **Response Time**

The WAVE shall schedule and provide complementary paratransit service to any ADA paratransit eligible person at any requested time (during approved hours of operation) on a “next day” basis. Advance reservations will be permitted up to fourteen (14) days before a desired trip. The WAVE service is available every day of the week; and the Town will make paratransit reservation service available Monday through Sunday from seven (7 a.m.) in the morning until seven (7 p.m.) in the evening. The Town may negotiate pick up times with the individual, but shall not require an ADA paratransit eligible individual to schedule a trip to begin more than one hour before or after the individual’s desired departure time. If the Town cannot schedule a ride that is one hour before or after the desired time, the trip will be tracked as a “missed trips”. Service to the individual must take place and cannot be based upon any of the following:

- the nature of the trip
- restrictions on the number of trips provided
- waiting lists for access to the service
- any operational pattern or practice that significantly limits the availability of service (such as untimely pickups, trip denials, missed trips, excessive trip lengths).

## **Performance Standards**

It is the Town’s responsibility to meet paratransit service demand and must have adequate capacity to do so. In order to ensure no discrimination within the system, the Town will monitor itself and perform monthly and yearly self assessments. To do so, the Town will monitor the following capacity constraints:

- Untimely pickups – pickups where the WAVE vehicle operator or the disabled individual is more than ten (10) minutes late but less than one (1) hour late to the designated pickup location.
- Missed Trips – trips in which the WAVE vehicle operator is more than one (1) hour late.
- Excessively long trips - determined on a case by case basis taking traffic conditions into account.
- Denial rates –number of applicants denied paratransit service .
- On-time performance – occurs when the WAVE vehicle operator is within five (5) minutes of the designated time and location for pickup / drop-off.
- Complaints – any recorded written or verbal complaint from the public regarding the WAVE system.
- Response Time – the time span between the time that the disabled individual requests a pickup, and the time when the WAVE vehicle is at the designated stop.