



## ADA Guidelines for Over-the-Road Bus Companies

### OVERVIEW OF REPORTING AND OTHER ADA REQUIREMENTS FOR OVER-THE-ROAD BUS COMPANIES

This document provides information about the U.S. Department of Transportation's (DOT) reporting and other requirements for over-the-road buses (OTRBs) under its Americans with Disabilities Act (ADA) regulations. Because the information below provides only a summary, DOT's actual ADA regulations regarding reporting and other ADA-mandated requirements should be reviewed for specific legal requirements (see [49 CFR part 37, subpart H](#)). In general, DOT's ADA regulations require accessible, timely OTRB service for passengers with disabilities, including wheelchair users.

#### I. ADA REPORTING REQUIREMENTS FOR OTRB COMPANIES

DOT's ADA reporting regulations require OTRB companies to submit three types of reports annually by the last Monday of every October. Each annual report covers the time period from October 1 of the prior calendar year through September 30 of the current calendar year. The following describes these three reports and the types of OTRB companies required to submit them:

##### A. Annual Summary Report of Individual Accessible/Equivalent Service Requests and Responses/Service Provided

OTRB companies must submit a summary of all individual requests they receive for accessible and/or equivalent service in each 12-month reporting period. These annual summary reports must contain the following data:

1. Company's name
2. Company's address
3. Company's telephone number
4. Contact person name for the company
5. The number of requests for accessible and/or equivalent service made during the time period from October 1 of the prior calendar year through September 30 of the calendar year when the report is submitted
6. The number of times that a request for an accessible bus was satisfied or equivalent service was provided

Small and large OTRB companies have differing obligations when responding to requests for accessible buses and/or equivalent service. Equivalent service is an option for only small fixed route OTRB companies. Please refer to Section III for a summary of these requirements.

Please refer to Section II for a description of Individual Accessible/Equivalent Service Requests, as well as the responsibilities OTRB companies have to document, process, and maintain such requests under DOT's ADA regulations.

##### B. Fixed Route OTRB Company's Annual Lift Use Summary

Large and small fixed route OTRB companies must submit an annual report that summarizes the number of passengers with disabilities who used the lift to board accessible buses in a given 12-month reporting period. Demand-responsive and mixed service OTRB companies are not required to submit this report.

##### C. Annual Report of OTRBs Purchased/Leased and Overall Fleet Data

OTRB companies must submit acquisition and lease data to the DOT annually. These annual reports should contain the following data:

1. Company's name
2. Company's address
3. Company's telephone number
4. Contact person name for the company
5. Total number of buses in the company's fleet
6. Total number of accessible buses in the company's fleet
7. The number of new and used buses purchased or leased during the time period from October 1 of the prior calendar year through September 30 of the calendar year when the report is submitted
8. Number of new accessible buses purchased during the time period
9. Number of used accessible buses purchased during the time period
10. Number of new accessible buses leased during the time period
11. Number of used accessible buses leased during the time period

##### D. Mailing Address

The mailing address to which all reports must be sent is as follows:

Federal Motor Carrier Safety Administration  
Office of Information Management MC-RIS  
1200 New Jersey Avenue, SE  
Washington, DC 20590

#### II. SERVICE REQUEST RECORDKEEPING

All OTRB companies are required to document all individual requests for accessible or equivalent service they receive. Each request must be documented in a manner that records the following information:

1. Company's name
2. Company's address
3. Company's telephone number
4. Passenger's name

5. Passenger's address
6. Passenger's telephone number
7. Scheduled date(s) and time(s) of trip(s)
8. Date and time of request
9. Location(s) of need for accessible bus or equivalent service, as applicable
10. Was accessible bus or equivalent service, as applicable, provided for trip(s)? Yes/No
11. Was there a basis recognized by U.S. Department of Transportation regulations for not providing an accessible bus or equivalent service, as applicable, for the trip(s)? Yes/No If yes, explain

OTRB companies must provide a copy of the completed Service Request Form to the passenger and retain a copy for five years.

### III. EQUIPMENT AND SERVICE REQUIREMENTS

#### A. Fixed Route Companies

A fixed route OTRB company must ensure that: (1) each new OTRB purchased or leased is accessible; (2) half of the company's fleet consists of accessible buses by October 2006; and (3) the entire fleet consists of accessible buses by October 2012. Until the fleet of a fixed route OTRB company becomes fully accessible, it must provide accessible OTRB service to passengers with disabilities on a 48-hour advance notice basis.

#### B. Demand Responsive and Mixed Companies

A demand responsive OTRB company must provide service in an accessible bus to passengers with disabilities on a 48-hour advance notice basis.

OTRB companies that provide mixed service must meet the requirements for both fixed route and demand responsive segments of their service.

#### C. Alternatives for Small Companies

##### 1. Small Fixed Route Companies

Small fixed route OTRB companies, as an alternative to the general rule, may choose to (1) ensure each new OTRB purchased is accessible or (2) provide equivalent service to passengers with disabilities. There is no deadline by which part or all of the bus fleet must be accessible. Until their fleets become fully accessible, small fixed route OTRB companies must either (1) provide service in an accessible bus to passengers with disabilities on a 48-hour advance notice basis or (2) provide equivalent service.

##### 2. Small Demand Responsive Companies

Small demand responsive OTRB companies must provide accessible service to passengers with disabilities on a 48-hour advance notice basis. However, such companies are not required to fundamentally alter reservation practices or displace other passengers in order to meet these requirements.

##### 3. Small Mixed Service Companies

Small mixed service OTRB companies can meet the alternatives to the general rule for both small fixed route OTRB companies and small demand responsive OTRB companies by providing accessible service within 48 hours. Doing so allows such companies to comply with one set of requirements for all provided services.

### IV. GLOSSARY OF TERMS

The following provides a basic glossary of terms used by DOT's ADA regulations:

*Accessible Bus.* An accessible bus or accessible OTRB is a bus that includes a lift for getting passengers who cannot climb steps onto a bus, specific locations for securing the wheelchair to prevent it from sliding, and other features to ease travel for passengers with disabilities.

*Demand Responsive Service.* An OTRB company provides demand responsive service if it provides transportation to individuals via OTRB through a charter/tour system.

*Equivalent Service.* Equivalent service is service provided to passengers with disabilities that is as good as the type of service provided to passengers without disabilities (e.g., a different accessible vehicle is used to provide service to the same traveling points for the same cost within the same time frame as a regularly scheduled OTRB). Equivalent service requires that passengers be allowed to travel in their own wheelchairs.

*Fixed Route Service.* An OTRB company provides fixed route service if it provides transportation in which the OTRB is operated along a prescribed route according to a fixed schedule.

*Large Operator.* Under DOT's regulatory definition, a large operator or large OTRB company has gross annual transportation revenues equal to or exceeding \$8.6 million.

*Mixed Service.* An OTRB company provides mixed service if it provides both fixed route and demand responsive service, and 25 percent or less of its OTRB fleet is used in fixed route service.

*OTRB.* An OTRB is a bus characterized by an elevated passenger deck over a baggage compartment.

*Small Operator.* Under DOT's regulatory definition, a small operator or small OTRB company has gross annual transportation revenues less than \$8.6 million.

**Find this page at:** <http://fmcsa.dot.gov/rules-regulations/bus/company/ada-guidelines.ht>

