

MOUNTAIN EXPRESS TRANSIT

Reasonable Modification of Policy

Pursuant to the Americans with Disabilities Act (ADA) (42 U.S.C. § 12101 et seq.), Section 504 of the Rehabilitation Act (29 U.S.C. § 794), 49 CFR § 27.7(e), 49 CFR § 37, and other Federal Transit Administration (FTA) guidance (including FTA Circular 4710.1), Mountain Express Transit (MET) shall make reasonable accommodations in policies, practices and procedures when necessary to avoid discrimination on the basis of disability and to ensure program accessibility to its services.

Individuals with disabilities may make requests for reasonable modifications to services. However, the MET may deny a reasonable modification request if the MET can show that granting the request would (1) fundamentally alter the nature of the entity's services, programs, or activities; (2) create a direct threat to the health or safety of others; (3) result in an undue financial and administrative burden; or (4) 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. See 49 CFR § 37.169(c) and 49 CFR § 27.7(e). The MET shall also be guided by the provisions and examples in Appendix E of 49 CFR § 37.

The MET shall timely respond to requests for reasonable modifications to policies and practices, including, if necessary, at the time of the request. Should the MET deny a request for a reasonable modification, the MET shall make every effort, to the maximum extent feasible, to ensure that the individual with a disability receives the services and benefits provided by the MET.

Individuals requesting modifications shall describe what they need in order to use the service, and are not required to use the term "reasonable modification" when making a request. Whenever feasible, modification requests shall be made and decided in advance, before the MET is expected to provide the modified service. If a modification request cannot practicably be made and decided in advance (*e.g.*, because of a condition or barrier at the destination of a paratransit or fixed route trip of which the individual with a disability was unaware until arriving), the MET shall make a decision about the modification request at the time of the request. Operating personnel may consult the MET management before making a determination. See 49 CFR § 37.169(b).

Individuals may contact the MET's Officer at transportation@archuletacounty.org or by calling 970-264-2250 to make reasonable modification requests.