



## The ADA and Public Transportation

### What is the Americans with Disabilities Act (ADA)?

The Americans with Disabilities Act (ADA) is a federal civil rights act that provides protections to individuals with disabilities. It guarantees equal opportunity for individuals with disabilities in public places, employment, public transportation, state and local government services, and telecommunication.

### What is Public Transportation?

Public transportation is transportation that provides the public with services on a regular basis. Two major examples of public transportation are buses and trains. In North Carolina, public transportation includes rural, regional, urban, and intercity communities. Public transportation is run by each county and/or city and overseen by the Public Transportation Division of the North Carolina Department of Transportation.

### What are Your Rights?

1. **Buses and trains** are required to use vehicles accessible to people with disabilities, specifically those in need of wheelchairs.

Example: It is discriminatory for a bus or train to not have a ramp, lift, or other instrument making the vehicle accessible to an individual using a wheelchair.

Exception: Historic vehicles are not required to have these means of accessibility that otherwise substantially alters the nature and character of the vehicle.

2. **Bus and train stations** are required to have at least one accessible entrance.

Example: It is discriminatory for a bus or train station to not provide an entrance accessible by a wheelchair.

3. **Bus stops** are required to be in locations accessible to individuals with disabilities, including individuals using a wheelchair.

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Example: It is discriminatory to locate a bus stop in an area that is not accessible to an individual with a disability, specifically an individual using a wheelchair.

- 4. Bus and train stations** are required to use the international symbol of accessibility to show an accessible entrance, path, vehicle, or public facility.



Example: It is discriminatory for a public transportation provider to not have a sign, using the international wheelchair symbol, marking the location of an accessible entrance, path, or vehicle.

- 5. All bus and train stations** must have electronic message boards for deaf and hard-of-hearing persons or other individuals with disabilities equal to the messaging system being used for the general public.

Example: It is discriminatory for a public transportation station to convey messages over a loud speaker to the general public and not have a similar system, such as an electronic message board, conveying the same or equivalent message to deaf and hard-of-hearing persons.

- 6. Public transportation systems** must provide reasonable accommodations to persons with disabilities to ensure equal access.

Example: If a person with a slight disability requests a bus schedule in an alternative format, it is discriminatory to refuse to provide a bus schedule in an alternative format, such as large print, audio, or electronic device.

### **What is a Reasonable Accommodation?**

A reasonable accommodation is any change to a rule, policy, or practice that allows individuals with disabilities equal access to a service, as long as the accommodation does not create an undue burden, such as costs, financial resources or operations, for the service provider or fundamentally alter the nature of the service.

### **Who Can Request a Reasonable Accommodation?**

Any person with a disability who needs a change (or “accommodation”) to a rule, policy, or practice in order to access a service can request a reasonable accommodation. Your family, friend, or other representative can request the accommodation on your behalf as well.

### **How Does a Person Request an Accommodation?**

Simply ask a person of authority for assistance in gaining access to a particular place, vehicle, or service. A written request is not required but is often a good idea.

## **When Does a Person Need to Request an Accommodation?**

There is no time frame. A person can request accommodation at any time even if that person has already started using the particular service without accommodation.

## **What if My Public Transportation is Not Accessible or My Request for a Reasonable Accommodation is Denied?**

You have the right to file a grievance with your local public transportation authority. Contact your local government and ask for the grievance procedure. You can also file a complaint with the Federal Transit Administration's Office of Civil Rights at 1-888-446-4511 [Voice] or by e-mail at [FTA.ADAAssistance@dot.gov](mailto:FTA.ADAAssistance@dot.gov).

For more information about the ADA & Public Transportation, visit the ADA Accessibility Guidelines online at [www.access-board.gov/guidelines-and-standards/transportation/vehicles/adaag-for-transportation-vehicles](http://www.access-board.gov/guidelines-and-standards/transportation/vehicles/adaag-for-transportation-vehicles).

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Disability Rights North Carolina is a 501(c)(3) nonprofit organization headquartered in Raleigh. It is a federally mandated protection and advocacy system with funding from the U.S. Department of Health and Human Services, the U.S. Department of Education, and the Social Security Administration.

Its team of attorneys, advocates, paralegals and support staff provide advocacy and legal services at no charge for people with disabilities across North Carolina to protect them from discrimination on the basis of their disability. All people with disabilities living in North Carolina are eligible to receive assistance from Disability Rights NC.

Contact us for assistance or to request this information in an alternate format.

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