

► What is Access-A-Ride (AAR)?

AAR is a “paratransit” transportation service run by New York City Transit (NYCT). It is for people with disabilities in New York City who are unable to use the subway or bus because of their disabilities. The Americans with Disabilities Act (ADA) requires any city that operates a “fixed route” system (e.g., subway or bus) to either make that system fully accessible or create a separate “paratransit” system for people with disabilities. AAR operates 24 hours a day, 7 days a week, in all five boroughs of New York City, as well as in limited parts of Westchester County and Nassau County.



Depending on their disabilities, some AAR riders have door-to-door service and others have “feeder service” (in which AAR only drops them off at the nearest accessible bus stop). The total fare for each trip is the same as the full fare for one ride on the subway or bus (exact change only). Although passengers using feeder service use both AAR and bus for the same trip, they do not have to pay double fare; rather, they must pay fare only once per trip, either on AAR *or* on the bus.

For information about using AAR’s services, see NYLPI’s fact sheet entitled: USING ACCESS-A-RIDE.

► Who is Eligible for AAR?



Generally, AAR is for people who are unable to take the subway or bus some or all of the time because of a disability. Eligibility is not limited to people with physical disabilities; people with intellectual or psychiatric disabilities might also be eligible. People with temporary disabilities may be eligible during the time they have the disability. You may be eligible if you experience one or more of the following types of barriers:

- (1) Unable to board, ride, or get off of an accessible subway or bus without help from another person; *and/or*
- (2) Able to independently board, ride, and get off of an accessible subway or bus, but want to travel on a route that is inaccessible; *and/or*
- (3) Because of a condition such as weather, distance, or terrain, and the way that condition relates to your disability, you are unable to travel to/from the subway or bus stop.

Consider your ability to travel in all seasons and throughout the system, not just to and from the subway or bus stop near your home.

EXAMPLES OF ELIGIBLE PEOPLE:

- (1) A person with an intellectual disability who does not know at which subway/bus stop to get off; *or* a person with a psychiatric disability who has severe anxiety when riding the subway/bus
- (2) A wheelchair-user who can ride an accessible bus, but would have to use an inaccessible subway on a particular route
- (3) A person with limited mobility who cannot walk to a subway/bus stop because of steep hills

► How Do I Apply for AAR?

To apply for AAR, you must call AAR Eligibility (877-337-2017, option 1) to schedule an appointment for an assessment. Around five (5) days after you call, you should get an appointment and an application in the mail.



Bring your completed application to your appointment. At your appointment, you will have an interview with a healthcare professional. AAR might also require a functional assessment, which tests your ability to travel by subway or bus. AAR must make a decision about your eligibility within 21 days of your appointment. If it does not, AAR must give you service until it makes a decision.

NOTE: You do not need to be a U.S. citizen or provide any information about your immigration status to use AAR.

What if I Need An Accommodation for a Disability or Language Barrier?

AAR must give you all information/materials about eligibility and appeals in an accessible format, as needed. AAR will give you an accessible ride to the eligibility appointment. You may bring a personal care attendant (PCA) for this appointment; just tell AAR in advance. A PCA may be a family member, friend, or professional.

You also have the right to receive translated documents and/or an interpreter if you do not speak English well. For example, if you need an interpreter at your eligibility appointment, AAR should provide one for you. AAR is not allowed to require you to bring your own interpreter, but you may bring someone as your interpreter if you prefer. If AAR refuses to provide you with an interpreter/translation, please call New York Lawyers for the Public Interest (212-244-4664), as we are addressing this problem.

► How Can I Prove That I Need Access-A-Ride?



You must prove that you meet one or more of the eligibility criteria listed above (“Who is Eligible for AAR?”). You must prove that your disability makes you *unable* to use the subway or bus some or all of the time, not just that it makes traveling by subway or bus *more difficult*.

Prove the Connection: It is not enough to say that you have a disability or some medical condition. You must describe the connection between your disability and your inability to use the subway or bus—how does your disability make you unable to ride the subway or bus? Similarly, it is not enough to show only that a certain environmental condition exists in order to qualify under the third category of eligibility—you must prove how that condition interacts with your disability to prevent you from traveling to/from the subway/bus stop.



Secondary Conditions: Don’t forget to consider secondary conditions. For example, even if your primary disability is weakness in your legs, you might also have a secondary condition such as fatigue, dizziness, or side effects from medication that also affects your ability to travel.

Supporting Documents: Supporting documents are key to proving your case. For example, you should consider getting letters from your doctors, and also preparing your own notes, like a log of all the barriers you face in traveling. If you get doctors’ letters, remember to ask your doctors not only to confirm your diagnosis or disability, but also to explain—in detail—the connection between your disability and your inability to travel by subway or bus.



TIP: PROVING THE CONNECTION

Too short: “I have multiple sclerosis.”

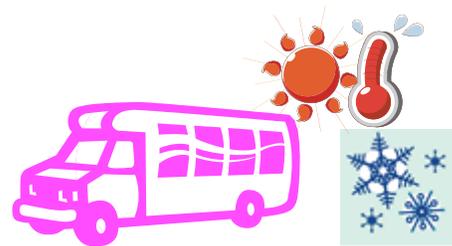
Good details: “Because of multiple sclerosis, I experience fatigue and very limited mobility that prevents me from being able to walk the 8 blocks uphill from my home to the closest bus/subway station, or walk up and down stairs. I am unable to stand for longer than a few minutes at a time. . . .” Etc.

TIP: DOCTORS’ LETTERS SHOULD:

- List your condition(s);
- State you are unable to take the subway and/or bus some/all of the time (not just that it’s *harder* for you to take the subway or bus or that the doctor *recommends* AAR for you);
- EXPLAIN/DESCRIBE exactly how your condition(s) affect your ability to travel by subway or bus – prove the connection in detail!

► What Kind of Eligibility Will AAR Give Me?

Generally, AAR may give you full or conditional eligibility depending on your disabilities. Full eligibility allows you to use AAR for all trips. However, conditional eligibility is more limited. For example, AAR may say you can use its services only in certain weather conditions, for certain distances, or where a particular subway/bus trip would be inaccessible to you. People with conditional eligibility might get “feeder service” (described above).



For almost any kind of eligibility, your AAR card will have an expiration date, so you must recertify to continue AAR services. The recertification is the same as the application process. You should recertify before your card expires.



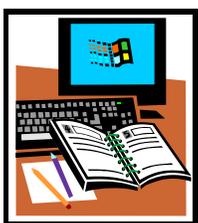
► What if AAR Denies My Application?

If AAR denies your application, it is required to mail a denial letter to you. The letter should explain why AAR denied your application, as well as your right to appeal. You have 60 days from the date of the letter to either appeal on paper (by mail) or request an in-person hearing. AAR is not required to give you a ride to the appeal hearing or while the appeal is pending. But, if AAR does not decide your appeal within 30 days of when your appeal process is complete, AAR must give you service until it decides. Remember, if AAR denies your appeal, you are generally still allowed to reapply.

NOTE: You do not need a lawyer for an AAR appeal. If you choose to appeal in person, you may want to bring a lawyer or advocate, such as a family member or friend, to assist you.

Whether appealing by mail or in person, you may give AAR information beyond what you gave with your application. You should keep the same considerations in mind as with your application, particularly explaining the connection between your disability/condition and your inability to travel by subway or bus. If applicable, you might also explain why your application, including the personal interview and functional assessment, did not fully show your need for AAR.

► Where Can I Find More Information About Access-A-Ride’s Policies and Rules?



- Access-A-Ride’s “**Guide to Access-A-Ride Service**” is available at: <http://www.mta.info/nyct/paratran/guide.htm>. To request a hard copy, call AAR’s Eligibility unit at 877-337-2017 (option 1).
- Access-A-Ride also has a newsletter called “**On the Move**,” available at: <http://www.mta.info/nyct/paratran/onthemove.htm>.
- To request an audio or Braille version of the guide or newsletter, call 718-393-4133.



► What if I Want to Complain About Poor AAR Service or Discrimination?

There are several places you can consider complaining, depending on the nature of your complaint.

<p>New York City Transit (“NYCT”)</p>	<p>If you want to complain about AAR’s poor service such as rude drivers or dangerous driving you can file a complaint with NYCT.</p> <ul style="list-style-type: none"> • <u>Call</u>: MTA New York City Transit Customer Assistance line at 511, OR • <u>Send a letter</u>: MTA New York City Transit, Paratransit Division, Customer Relations, 130 Livingston Street, Brooklyn, NY 11201, OR • <u>E-mail</u>: www.mta.info and click on <u>Contact Us</u>.
<p>Federal Transit Administration’s (“FTA”) Office of Civil Rights (“OCR”)</p>	<p>Problems in AAR’s service: FTA investigates claims that paratransit providers are in violation of the ADA and Section 504 of the Rehabilitation Act of 1973. FTA does not reevaluate eligibility; it only investigates whether the paratransit provider has followed the law in operating its system. For information on how to complain: http://www.fta.dot.gov/civilrights/ada/civil_rights_3889.html.</p> <p>Discrimination based on race, color, or national origin: FTA investigates claims under Title VI of the Civil Rights Act of 1964 discrimination based on race, color or national origin (including limited English proficiency). http://www.fta.dot.gov/civilrights/ada/civil_rights_3889.html</p> <p>New York Regional FTA Office: <u>Voice</u>: (212) 668-2170. <u>TTY</u>: (800) 877-8339</p> <p>Note: The deadline for filing a complaint with FTA is within <u>180 days</u> of the date of discrimination.</p>
<p>Lawsuit</p>	<p>Please keep in mind that all legal claims have certain deadlines for filing, so you should act quickly to contact a lawyer and/or otherwise take action to sue.</p>

<p><u>Any questions?</u></p> 	<p><i>Call NEW YORK LAWYERS FOR THE PUBLIC INTEREST</i> (212) 244-4664 (Voice) or (212) 244-3692 (TTY).</p> <p>Our intake line is open: Mondays & Fridays (9:30am-1:30pm), and Wednesdays (1:30pm-5:30pm).</p> <p>www.nympi.org</p>
---	--