

Riverside County Transportation Commission  
ADA Self-Evaluation and Transition Plan

**July, 2022**

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# 1 Executive Summary

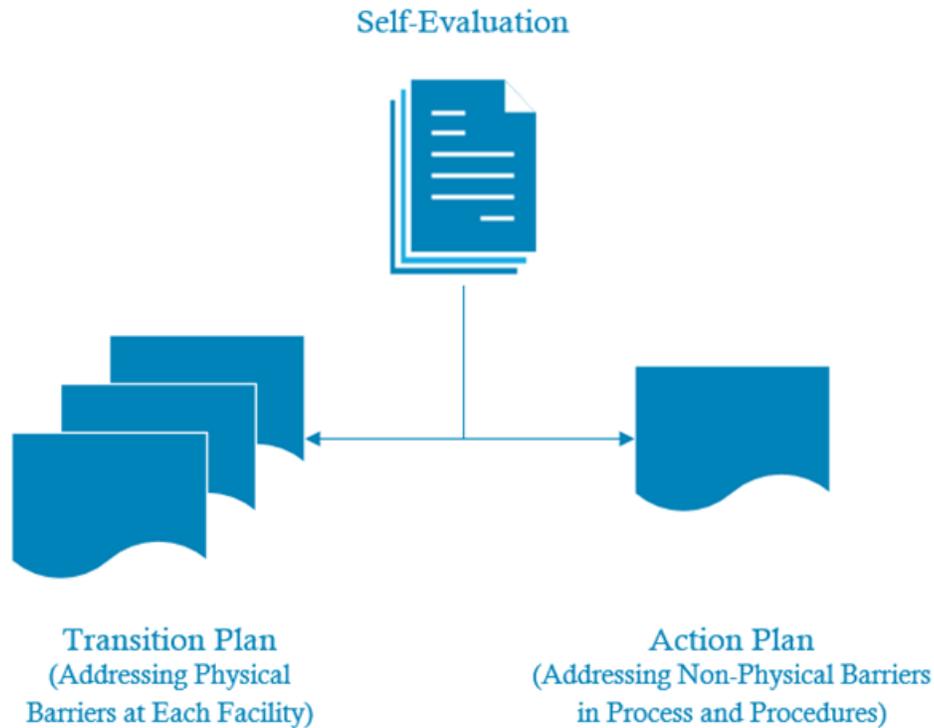
In compliance with the Americans with Disabilities Act (ADA), the purpose of this effort is to fulfil Riverside County Transportation Commission (RCTC)'s functional goal and meet legal requirements for providing readily accessible facilities to, and useable by, individuals with disabilities. All buildings and facilities that fall under the authority of RCTC are covered as part of this Self-Evaluation, including employee facilities.

The ADA Self-Evaluation and Transition Plan are requirements mandated by Section 504 of the Rehabilitation Act of 1973, which is a federal law, and Americans with Disabilities Act (ADA) Title II for any public entity having 50 or more employees, regardless of receiving federal financial assistance. RCTC is a public entity with over 50 employees and is a recipient of federal funds. Code of Federal Regulations, Title 28, Chapter I, Part 35, also referred to as 28 CFR §35 implements subtitle A of Title II of the Americans with Disabilities Act of 1990 as amended by the ADA Amendments Act of 2008 (ADA Amendments Act). 28 CFR §35 relates to nondiscrimination on the basis of disability in state and local government services. The ADA Self-Evaluation is required by 28 CFR §35.105. The ADA Transition Plan is required by 28 CFR §35.150 (d).

The ADA Self-Evaluation examines services, programs, policies, practices, buildings, and facilities to identify problems or barriers that may limit accessibility by persons with disabilities and describes potential compliance solutions. The self-evaluation of programs and policies is based on a review of RCTC's policies and procedures, model contract documents, response to questionnaires, and input from staff liaisons from various RCTC departments. The necessary nonstructural changes resulting from the self-evaluation are included in an Action Plan attached to this report.

The self-evaluation of buildings and facilities that fall under the authority of RCTC is based upon accessibility surveys that were conducted for each of their 16 facilities. The ADA Transition Plan attached to this report contains a description of structural changes required to make their buildings and facilities accessible by removing architectural barriers to access that were identified during these surveys.

The self-evaluation and action plan, and transition plan process is detailed in Figure 1.



**Figure 1 – ADA Self-Evaluation Process**

A schedule for completing the modifications, estimated cost of each modification, and record of planned completion dates for the modifications are included as mandated by ADA Title II regulations.

Additionally, ADA Title II mandates that public entities shall provide an opportunity to, and maintain on file a list of, interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments. A copy of the Self-Evaluation and Transition Plan was made available for public review and comment between April 18, 2022 through May 28, 2022. In response, one email was received from Richard Smith, CEO of the Independent Living Partnership. The email confirmed receipt of the notice and it included a link to their news release on a study "Transportation Bill of Rights Issued for Persons with Disabilities." No comments were provided on RCTC's ADA Self-Assessment and Transition Plan.

The ADA Transition Plan is intended to be a living document which needs to be updated to include any of RCTC's future operations and activities affecting compliance with ADA requirements that are not covered in this report.

## 2 Abbreviations, Acronyms and Definitions

ABA	Architectural Barriers Act
ADA	Americans with Disabilities Act
ADAAA	Americans with Disabilities Act with Amendments Act
ADAAG	Americans with Disabilities Act Accessibility Guidelines
BNSF RR	Burlington Northern Santa Fe Railroad
CALTRANS	California Department of Transportation
CFR	Code of Federal Regulations
DOJ	U.S. Department of Justice
DOJ ADA Standards	2010 ADA Standards for Accessible Design (2004 ADAAG and ADA Title II § 35.151)
DOT	U.S. Department of Transportation
DOT's ADA Standards	(2006) ADA Standards for Transportation Facilities (based on 1991 and 2004 ADAAG)
DSA	Division of the State Architect
DWS	Detectable Warning Surfaces
EEOC	U.S. Equal Employment Opportunity Commission
FHWA	Federal Highway Administration
FRA	Federal Railroad Administration
FSORAG	Forest Service Outdoor Recreation Accessibility Guidelines
FSTAG	Forest Service Trail Accessibility Guidelines
FTA	Federal Transit Authority
PROWAG	Public Right of Way Accessibility Guidelines
PVL	Perris Valley Line
RCA	Regional Conservation Authority
RCTC	Riverside County Transportation Commission
RCTD	Riverside County Transportation Department
SCRRA	Southern California Regional Rail Authority (Metrolink)
UFAS	Uniform Federal Accessibility Standards
UPRR	Union Pacific Railroad

## 2.1 References

Americans with Disabilities Act Title II Regulations

[https://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm](https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm)

Requirements to Remember for ADA Compliance in Construction Projects

[https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Tips\\_for\\_ADA\\_Compliance\\_4-22-14.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Tips_for_ADA_Compliance_4-22-14.pdf)

The Americans with Disabilities Act Title II Technical Assistance Manual

<https://www.ada.gov/taman2.html#II-5.2000>

ADA Best Practices Tool Kit for State and Local Governments

<https://www.ada.gov/pcatoolkit/toolkitmain.htm>

Final FTA ADA Circular C 4710.1

[https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Final\\_FTA\\_ADA\\_Circular\\_C\\_4710.1.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Final_FTA_ADA_Circular_C_4710.1.pdf)

Accessibility Guidebook for Outdoor Recreation and Trails produced in cooperation with the US DOT

<https://www.fs.fed.us/t-d/pubs/htmlpubs/html12232806/toc.htm>

Sacramento County ADA Self-Evaluation Plan

<https://www.saccounty.net/Pages/ADA-Self-Evaluation-Transition-Plan.aspx>

Caltrans Permanent Pedestrian Facilities ADA Compliance Handbook

<https://dot.ca.gov/-/media/dot-media/programs/civil-rights/documents/permanent-pedestrian-facilities-ada-compliance-handbook-a11y.pdf>

## 3 Introduction

### 3.1 Introduction to the ADA

The Americans with Disabilities Act, known as the ADA, had its beginnings under Section 504 of the Rehabilitation Act of 1973 which is a federal law. On July 26, 1990, ADA was signed and established as a law by then President George H.W. Bush. The ADA is a comprehensive civil rights law prohibiting discrimination on the basis of disability and it protects the rights of individuals with disabilities in employment, access to State and local government services, places of public accommodation, transportation, and other important areas of American life. The purpose of the ADA is “to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities” and “to provide clear, strong, and consistent, enforceable standards addressing discrimination against individuals with disabilities.”

The ADA consists of five titles:

1. Title I Employment,
2. Title II Public Entities and Public Transportation,
3. Title III Public Accommodations and Commercial Facilities,
4. Title IV Telecommunications, and
5. Title V Miscellaneous Provisions.

Title II of the ADA, Part 35 relates to nondiscrimination on the basis of disability in State and local government services. Public entities, such as RCTC, are subject to Title II of the ADA. This self-evaluation is based on ADA Title II mandates. Title II of the ADA covers programs, activities, and services of public entities. It is divided into two subtitles. Subtitle A of Title II, which is implemented by the Department of Justice's Title II regulation and Subtitle B, covering public transportation, which is implemented by the Department of Transportation's Title II regulation.

This document is an assessment of RCTC's facilities to identify administrative, programmatic, and physical barriers that need to be rectified to meet the requirements of ADA Title II subtitles A and B.

### 3.2 Introduction to RCTC

The **Riverside County Transportation Commission (RCTC)** provides transportation solutions that connect the lives of Riverside County commuters. RCTC is the fiscally-responsible steward of **Measure A** sales tax dollars, which fund transportation improvements that Riverside County voters have approved by more than a two-thirds vote.

RCTC is governed by a total of 34 elected representatives: one from each city council and all five County Supervisors within Riverside County, plus a Governor's appointee, typically a representative of Caltrans. RCTC is operated by a small team of public servants who are charged with delivering on Measure A's promises to the taxpayers of Riverside County.

RCTC makes major improvements to highway corridors such as: State Routes 60, 79, and 91 and Interstates 10, 15, and 215. RCTC also provides funding assistance to local communities to improve local streets and roads, and for railroad overpasses and underpasses to eliminate frustrating traffic delays, safety hazards, and harmful pollution as trains travel through neighborhoods.

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RCTC administers state and federal funds to Riverside County communities to improve sidewalks, bike lanes, and accessibility for persons with disabilities. RCTC owns the Perris Valley Line rail corridor and owns and operates the nine commuter rail stations in Riverside County. RCTC funds public bus, rail, and specialized transit services in Riverside County, helping commuters, the elderly, disabled, and veterans, working together with partners at Metrolink, SunLine Transit Agency, Riverside Transit Agency, and municipal and nonprofit transit organizations. RCTC also funds call boxes on state highways in Riverside County to assist motorists in emergency situations.

On January 1, 2021, RCTC became the managing agency of the Western Riverside County Regional Conservation Authority (RCA). The RCA was formed in 2004 to implement the largest multiple species habitat conservation plan (MSHCP) in the nation. For RCTC, effective habitat preservation has been a critical mitigation element for many of its projects. The consolidation of RCTC and RCA forms a direct link between conservation and transportation improvements.

Public roads connect all facilities owned, operated, or used by RCTC. However, RCTC is only responsible for maintenance of the property enclosed within the property boundary limits shown in Chapter 6.

### 3.3 RCTC's ADA Program

RCTC is committed to providing safe, reliable, courteous, accessible, and user-friendly services. To ensure equality and fairness, RCTC is committed to making reasonable modifications to its policies, practices, and procedures to avoid discrimination and ensure programs and services are accessible to individuals with disabilities.

RCTC follows the five key administrative requirements of ADA Title II, which are:

1. Designate a person responsible for all ADA activities.
2. Conduct and implement a self-evaluation which includes development of the Action Plan.
3. Conduct and implement a Transition Plan.
4. Create and implement a Grievance Procedure.
5. Provide notice to the public about how ADA applies to RCTC'S programs, services, and activities.

The following paragraphs demonstrate how these five requirements are being met.

RCTC's current ADA Coordinator, who is responsible for all ADA activities, is:

Aaron Hake,

4080 Lemon Street, 3rd Floor, Riverside, CA.

Phone: 951-787-7141

Email: [ahake@rctc.org](mailto:ahake@rctc.org)

This report presents the Self-Evaluation that was conducted and is being implemented as per Attachment 9, Action Plan. The former ADA Coordinator John Standiford oversaw the self-evaluation and preparation of this report up to June 30, 2022.

Following completion of the Self-Evaluation, the Transition Plan was developed for the structural changes required at RCTC's facilities, and is attached to this report as Attachment 8, Transition Plan.

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A Grievance Procedure has been adopted and published by RCTC for prompt and equitable resolution of complaints alleging any action that would be prohibited by the ADA. The procedure dated 06/2022 is included as Appendix E2 and is posted on RCTC's website [Grievance Procedure \*https://www.rctc.org/wp-content/uploads/2022/06/ada-grievance-procedure.original\\_REV.2022.06.pdf\*](https://www.rctc.org/wp-content/uploads/2022/06/ada-grievance-procedure.original_REV.2022.06.pdf). A discrimination complaint form is available on RCTC's website [Discrimination Complaint \*https://www.rctc.org/wp-content/uploads/2017/03/ada-discrimination-complaint-form.original\\_REV.May2017.pdf\*](https://www.rctc.org/wp-content/uploads/2017/03/ada-discrimination-complaint-form.original_REV.May2017.pdf).

Public notice of RCTC's ADA compliance is done through the following: RCTC has published a notice prohibiting discrimination on the basis of disability and has established a Complaint Procedure to meet the requirements of Section 504 of the Rehabilitation Act and ADA. The notice dated 05/2018 is included as Appendix E1 and is posted on RCTC's webpage [ADA Notice and Complaint Procedure \*https://www.rctc.org/wp-content/uploads/2018/05/RCTC-ADA\\_Section-504-Notice-and-Complaint-Procedure-c2\\_2018.05-w\\_BBK-Revisions-c2.pdf\*](https://www.rctc.org/wp-content/uploads/2018/05/RCTC-ADA_Section-504-Notice-and-Complaint-Procedure-c2_2018.05-w_BBK-Revisions-c2.pdf)

### 3.4 Regulatory Agencies Enforcing the ADA

Title II is enforced by private lawsuit or by filing a complaint with the Department of Justice or one of the designated federal enforcement agencies, such as the Department of Transportation, among others. The various departments or agencies and their responsibilities are defined in this section.

#### 3.4.1. U.S. Department of Justice (DOJ)

The U.S. DOJ is responsible for overall enforcement of Title II and III of the Americans with Disabilities Act. DOJ has designated the Department of Transportation as the federal agency responsible for investigating complaints and conducting compliance reviews "relating to programs, services, and regulatory activities relating to transportation, including highways."

The ADA also requires the DOJ to develop regulations with respect to existing facilities subject to Title II (subtitle A) and Title III.

#### 3.4.2. U.S. Department of Transportation (DOT)

The ADA gives the U.S. DOT responsibility for overseeing state and local governments' compliance with the 1964 Civil Rights Act, Title II of the ADA in transportation systems including highway, railroad, transit, maritime, and aviation. To receive federal funds, Federal Transit Administration (FTA) grantees, such as RCTC, must comply with Section 504; to comply with DOT's Section 504 regulations, grantees must comply with the DOT ADA regulations.

The ADA and the DOT ADA regulations apply broadly to both public and private entities and to almost all types of transportation services.

#### 3.4.3. The Federal Highway Administration (FHWA)

The FHWA, a division of the DOT, is responsible for compliance of pedestrian access requirements in the public right of way. The FHWA Office of Civil Rights oversees compliance with DOT requirements for highways, streets, and traffic management.

#### 3.4.4. The Federal Transit Administration (FTA)

The FTA provides financial and technical assistance to local public transit systems, including buses, subways, light rail, commuter rail, trolleys, and ferries. The FTA Office of Civil Rights is responsible for ensuring public transit providers comply with all nondiscrimination requirements.

### 3.4.5. California Department of Transportation (Caltrans)

For transportation-related ADA compliance on local public right of way, the FHWA enforces Title II of the ADA through Caltrans. Caltrans is required to perform an annual audit of a few randomly selected local agencies on their compliance with ADA and report to FHWA. RCTC is a partner committed to working with Caltrans to identify and address issues with pedestrian accessibility in its infrastructure.

## 3.5 ADA Regulations Applicable to RCTC Facilities

### 3.5.1. DOJ ADA Regulations

The ADA requires that the DOJ write regulations for implementing Titles II and III of the ADA. The regulations for both titles were first published on July 26, 1991. The DOJ revised its regulations implementing the ADA in September 2010, including the 2010 ADA Standards for Accessible Design. On July 15, 2016, Attorney General Loretta Lynch signed a final rule revising the ADA Title II and III regulations to implement the requirements of the ADA Amendments Act of 2008(ADAAA). The final rule was published in the Federal Register on August 11, 2016, and took effect 60 days after publication, on October 11, 2016.

The applicable DOJ ADA regulations are:

- 28 CFR Part 35 ADA Title II (State and Local Governments) current as of October 11, 2016. [https://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm](https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm)
- 28 CFR Part 36 ADA Title III (Public Accommodations and Commercial Facilities) current as of January 17, 2017. [https://www.ada.gov/ada\\_title\\_III.htm](https://www.ada.gov/ada_title_III.htm)
- 2010 ADA Standards for Accessible Design  
[https://www.ada.gov/2010ADASTandards\\_index.htm](https://www.ada.gov/2010ADASTandards_index.htm)

28 CFR Part 35 requires that facilities constructed on behalf of, or for the use of, a public entity shall be designed and constructed so that the facility is accessible to and usable by persons with disabilities.

The ADA Self-Evaluation is required by 28 CFR §35.105. State and local governments' ADA obligations for program accessibility are in the DOJ's ADA Title II regulations 28 CFR §35.150. Following the completion of a self-evaluation, public entities with 50 or more employees are required to develop an ADA Transition Plan as required by 28 CFR §35.150 (d).

### 3.5.2. DOT ADA Regulations

The DOJ recognizes that DOT has its own independent regulatory responsibilities under subtitle B of Title II of the ADA. RCTC is a recipient of FHWA and FTA financial assistance. To comply with transportation-related provisions of the ADA, per FHWA Civil Rights Program and per DOT circular FTA C 4710.1 which is found at this link

[https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Final\\_FTA\\_ADA\\_Circular\\_C\\_4710.1.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Final_FTA_ADA_Circular_C_4710.1.pdf), requirements that must be complied with are:

- Americans with Disabilities Act (42 USC 126) ADA <https://www.ada.gov/pubs/ada.htm>
- Title II of the ADA Implementing Regulation (28 CFR PART 35) (current as of October 11, 2016) [https://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm](https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm)
- Section 504 of the Rehabilitation Act of 1973 (29 USC 794, et seq)  
<https://www.dol.gov/agencies/oasam/centers-offices/civil-rights-center/statutes/section-504-rehabilitation-act-of-1973>

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- Section 504 of the Rehabilitation Act of 1973 Implementing Regulation (49 CFR Part 27) [https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr27\\_main\\_02.tpl](https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr27_main_02.tpl)
- Nondiscrimination on the basis of disability in programs and activities receiving or benefiting from federal financial assistance <https://www.ecfr.gov/cgi-bin/text-idx?SID=71308b622e6ebbae77f60b129fbed0b6&node=pt49.1.27&rgn=div5>
- Transportation Services for Individuals with Disabilities (ADA) [https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr37\\_main\\_02.tpl](https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr37_main_02.tpl)
- Americans with Disabilities Accessibility Specifications for Transportation Vehicles [https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr38\\_main\\_02.tpl](https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr38_main_02.tpl)
- Transportation Services for Individuals with Disabilities (Passenger Vessels) [https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr39\\_main\\_02.tpl](https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr39_main_02.tpl)
- Federal Transit Laws (49 U.S.C 5301 et seq.) <https://uscode.house.gov/view.xhtml?path=/prelim@title49/subtitle3/chapter53&edition=prelim>
- Americans with Disabilities Act Accessibility Guidelines ADAAG <https://www.access-board.gov/ada/>
- Proposed Accessibility Guidelines for Pedestrian Facilities in Public Rights-of-Way PROWAG <https://www.access-board.gov/prowag/>
- Uniform Federal Accessibility Standards UFAS <https://www.access-board.gov/aba/ufas.html>
- ADA Final Rule 9-28-11 [https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/ADA\\_Final\\_Rule\\_one\\_pager\\_9-28-11.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/ADA_Final_Rule_one_pager_9-28-11.pdf)

Public transportation services, programs, and activities of public entities (such as RCTC) are covered by subtitle B of Title II of the ADA and are subject to the DOT regulations in 49 CFR Part 37, Transportation Services for Individuals with Disabilities (ADA) and 49 CFR Part 39, Transportation Services for Individuals with Disabilities (Passenger Vessels).

The ADA regulations of DOT in 49 CFR §37.21(c) state that “entities subject to DOT's ADA regulations may also be subject to the ADA regulations of the Department of Justice, 28 CFR Part 35. In case of apparent inconsistency, the provisions of this part (49 CFR §37.21) shall prevail.” Also, “The DOT rules apply only to the entity's transportation facilities, vehicles, or services; the DOJ rules may cover the entity's activities more broadly.”

The Department of Justice regulation implementing Title II generally, and the DOT regulations specifically implementing subtitle B of Title II, may overlap. If there is overlap in areas covered by subtitle B which DOT regulates, these provisions shall be harmonized in accordance with the DOT regulation in 49 CFR §37.21(c).

Therefore, where there is overlap, evaluation of RCTC’s transportation facilities follows 49 CFR §37, Transportation Services for Individuals with Disabilities (ADA).

### 3.5.3. Caltrans ADA Regulations

As part of the FHWA regulatory requirements under Title II of the ADA, and Section 504 of the Rehabilitation Act of 1973 (504), Caltrans ensures that subrecipients of Federal aid, including state and local entities that are responsible for roadways and pedestrian facilities, do not

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discriminate on the basis of disability in any highway transportation program, activity, service, or benefit they provide to the general public. Caltrans ensures that people with disabilities have equitable opportunities to use the public right of way system. The regulations are:

- Section 504 of the Rehabilitation Act of 1973 Implementing Regulation (49 CFR Part 27) [https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr27\\_main\\_02.tpl](https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr27_main_02.tpl)
- Title II ADA of 1990 (28 CFR Part 35) (State and Local Governments) [https://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm](https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm)
- 2010 ADA Standards for Accessible Design [https://www.ada.gov/2010ADASTandards\\_index.htm](https://www.ada.gov/2010ADASTandards_index.htm)
- Section 9.3: Accessibility, of the Local Assistance Procedures Manual (LAPM): Americans with Disabilities Act (ADA) <https://dot.ca.gov/-/media/dot-media/programs/local-assistance/documents/lapm/ch09.pdf>
- RCTC facilities located along the SR-91 and I-15 express lanes corridors are designed in accordance with [Caltrans Highway Design Manual](#) and/or the FHWA-adopted edition of AASHTO, A Policy on Geometric Design of Highways and Streets. Caltrans Design Information Bulletin, DIB 82-06 – Pedestrian Accessibility Guidelines for Highway Projects, applies to the pedestrian facilities on highways. <https://dot.ca.gov/-/media/dot-media/programs/design/documents/dib82-06-a11y.pdf>

### 3.5.4. Metrolink/ SCRRRA Design Criteria Manual and Procedures

The rail system along SR-91 and I-215 is designed to FRA/SCRRRA standards. Stations are also required to comply with applicable parts of the State of California general laws, California Public Utilities Commission (CPUC) requirements, FRA safety requirements, FTA requirements, ADA requirements, and specific project requirements.

### 3.5.5. California Government Codes

In addition to being covered by the ADA Title II, RCTC facilities and buildings are also required to comply with, but not be limited to the following:

- California Government Code 11135, incorporating ADA into State law.
- Under California Government Code 12926, the definition of mental and physical disability was broadened beyond the ADA Amendments Act (ADAAA) [https://california.public.law/codes/ca\\_gov't\\_code\\_section\\_12926](https://california.public.law/codes/ca_gov't_code_section_12926).
- Contractual and construction activities are covered under CA Government Code Section 4450.
- California Building Code (California Code of Regulations, Title 24).
- The State of California has also adopted regulations in Section 54 of the California Civil Code that specifies all buildings, structures, sidewalks, curbs, and related facilities constructed in California by the use of state, county, or municipal funds, or the funds of any political subdivision of the state, shall be accessible to and usable by persons with disabilities.

All pedestrian facilities on RCTC property are evaluated against the most stringent applicable ADA requirements based on the age of the facility and date of any alterations affecting ADA compliance. RCTC facilities and buildings are evaluated to make sure that maximum access for people with disabilities is allowed.

### 3.6 Definition of Mental and Physical Disability

To be viewed as a disability under the ADA, a physical or mental impairment must substantially limit one or more major life activities. An individual having a record of, or being regarded as, having such an impairment is considered a qualified person with a disability.

The ADA also protects a person in recovery who is no longer currently engaging in the illegal use of drugs and who can show that they meet one of the three definitions of disability.

Regardless of whether the addiction to alcohol is current or in the past, addiction to alcohol is generally considered a disability because it is an impairment that affects brain and neurological functions.

Under CA Government Code 12926, "Mental disability" includes, but is not limited to, having any mental or psychological disorder or condition, such as intellectual disability, organic brain syndrome, emotional or mental illness, or specific learning disabilities, that limits a major life activity.

"Physical disability" includes, but is not limited to, having any physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss that does both of the following:

- (A) Affects one or more of the following body systems: neurological, immunological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic, and lymphatic, skin, and endocrine.
- (B) Limits a major life activity.

"Limits" shall be determined without regard to mitigating measures such as medications, assistive devices, prosthetics, or reasonable accommodations, unless the mitigating measure itself limits a major life activity.

Major life activities shall be broadly construed and includes physical, mental, and social activities and working.

California State law also provides protection to cancer survivors, people having genetic predisposition to illnesses or disabilities, or people who have received services within a special education program.

## 4 ADA Standards for Accessible Design

The DOJ and DOT issue the ADA Standards published by the Access Board.

The Access Board is an independent federal agency established by Section 502 of the Rehabilitation Act of 1973. (29 U.S.C. 792). The passage of the ADA expanded the Access Board's responsibilities to ensure that buildings, facilities, rail passenger cars, and vehicles are accessible, in terms of architecture, design, transportation, and communication, to individuals with disabilities.

In 1982, the Board published "Minimum Guidelines and Requirements for Accessible Design" which served as the basis for the Uniform Federal Accessibility Standards (UFAS) adopted by several federal agencies. The UFAS was published in the Federal Register on August 7, 1984 (49 FR 31528) and is one of the standards which state and local governments (except most transit agencies) can use to comply with Title II of the ADA for federal projects.

On July 26, 1991, the Access Board published the Americans with Disabilities Act Accessibility Guidelines (1991 ADAAG) and the revised 2004 ADA/ABA Guidelines (2004 ADAAG) were published on July 23, 2004.

DOT adopted the 2004 ADAAG in 2006 and modified it by retaining certain requirements from the 1991 ADAAG.

DOJ adopted the DOJ 2010 Standards which include the 2004 ADAAG and requirements contained in 28 CFR § 35.151 (New Construction and Alterations).

The U.S. Access Board is currently in the process of finalizing Proposed Accessibility Guidelines for Pedestrian Facilities in Public Rights-of-Way also known as the Public Right-of-Way Accessibility Guidelines or PROWAG. The proposed guidelines are developed specifically for pedestrian facilities in the public right of way and address conditions and constraints that exist in the public right of way.

### 4.1 Accessible Design Codes and Standards Applicable to RCTC Facilities

All newly constructed or newly altered RCTC facilities are required to comply with Title 24, California Building Standards Code, DOJ 2010 ADA Standards, DOT 2004 ADAAG, and/or local codes, which ever provides the greatest access. PROWAG is recommended to be used by FHWA as best practice design guidelines for pedestrian facilities in public rights of way and DIB-82-06 is a mandatory standard to be used on projects designed per the Caltrans Highway Design Manual.

The age of the facility, and date of any alterations, determines RCTC's obligations to meet compliance to the applicable ADA Standard. Existing transportation buildings and facilities that are not altered after November 29, 2006, and which comply with the 1991 ADAAG, are not required to be retrofitted to comply with the requirements set forth in 2004 ADAAG. Portions of transportation facilities altered after November 29, 2006, are required to comply with DOT's ADA Standards.

Federal regulations for accessibility contain a "safe harbor" provision that allows existing pedestrian elements that were altered on or before March 15, 2012, to not be required to meet the corresponding technical and scoping specifications of the DOJ 2010 ADA Standards (current standards) if the work complied with the past standards in the ADAAG or the UFAS when it was constructed and continues to comply.

## **RCTC ADA Self-Evaluation and Transition Plan**

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Public spaces covered under DOJ ADA standards shall comply with the following:

If constructed or altered before September 15, 2010, applicable standards are 1991 Standards or UFAS

If constructed or altered on or after September 15, 2010, and before March 15, 2012, applicable standards are 1991 Standards, UFAS, or 2010 ADA Standards

If constructed or altered on or after March 15, 2012, applicable standards are 2010 ADA Standards

Evaluation of physical barriers in each RCTC facility is described in detail in Attachments 6A through 6P. The date each facility was constructed or modified, and the applicable ADA standards at the time of construction or modification, are listed in Attachments 6A through 6P and Attachment 7, Program Accessibility.

### **4.1.1. Title 24, California Building Standards Code**

In addition to federal regulations, the State of California government code contains regulations prohibiting discrimination on the basis of disability. The State has established design standards for accessibility under its Title 24, "California Building Standards Code." The State design standards generally match the federal standards, but in certain situations the State standards can be more stringent. All RCTC facilities and buildings are required to comply with the latest edition of Title 24, "California Building Standards Code" applicable at the time design/ modification was initiated.

### **4.1.2. DOJ 2010 ADA Standards for Accessible Design**

The DOJ implementing ADA Title II and Title III regulations has adopted the 2004 ADAAG standards consistent with ADA Chapter 1, ADA Chapter 2, and Chapters 3 through 10 of the 2004 ADA/ABA Guidelines, renaming them as 2010 ADA Standards for Accessible Design. The regulations issued by the DOJ include accessibility standards for the design, construction, and alteration of facilities other than facilities used in the provision of public transportation covered by regulations issued by DOT.

DOJ 2010 ADA Standards will broadly apply to newly constructed or altered RCTC buildings and facilities in addition to Title 24, "California Building Standards Code requirements." DOJ's standards apply to all facilities covered by the ADA, except public transportation facilities, which are subject to DOT's standards.

### **4.1.3. DOT ADA Standards for Transportation Facilities**

DOT has its own independent regulatory responsibilities under subtitle B of Title II of the ADA. DOT's ADA standards, adopted in 2006, apply to facilities used by state and local governments to provide designated public transportation services, including bus stops and stations, as well as rail stations. A noteworthy difference between DOJ and DOT requirements is that DOT's ADA Standards require detectable warnings on curb ramps.

Therefore, detectable warning surfaces on accessible routes, curb ramps, bus boarding and alighting areas, and rail station platforms are expected to comply with and are evaluated against DOT's ADA Standards 2006.

## RCTC ADA Self-Evaluation and Transition Plan

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### 4.1.4. PROWAG

PROWAG specifically applies to pedestrian facilities in the public right of way (New and Existing). For areas not fully addressed by the current ADA standards, FHWA has recommended the PROWAG to be followed as best practices. As such, Caltrans has adopted certain portions of the PROWAG as standards in DIB -82-06. Rail and transit stations are to be reviewed and require an approval from the Division of the State Architect, (DSA) to certify accessibility compliance.

### 4.1.5. DIB-82-06

Caltrans accessibility design guidance, DIB 82-06 "Pedestrian Accessibility Guidelines for Highway Projects," has been written to provide general design guidance on how to comply with the various Federal laws and State codes on pedestrian accessibility for public use. This Design Information Bulletin (DIB) is considered a mandatory standard for projects as indicated in the Caltrans Highway Design Manual. Every highway project (Capital and Maintenance; including all Encroachment Permit projects) within the State highway right-of-way, that proposes to construct pedestrian facilities must be designed in accordance with the policies and standards of this DIB. The 2010 ADA Standards are not specifically written for public rights-of-way projects, but some of the provisions can apply to the highway environment and are included in DIB-82-06.

On the state highway system, pedestrian facilities are evaluated against DIB 82-06 and the referenced applicable standards to provide the greatest access to people with disabilities based on the age of the facility and date of alterations affecting ADA compliance.

Recommended solutions to remove the physical barriers in RCTC rail station facilities are based on DOJ 2010 standards and DOT's ADA standards (2006).

### 4.1.6. Safe Harbor

On transportation projects designed or constructed before November 29, 2006, which is the date DOT adopted the new accessibility standards (2004 ADAAG), 49 CFR Part 37.9, paragraph (c)(2) provides that an existing facility that complies with the old standards (1991 ADA standards or UFAS) does not have to be retrofitted to comply with the new standards. Any future alteration to an existing facility does need to comply with the new standards.

#### 49 CFR § 37.9

*49 CFR 37.9 (c) (2) Existing buildings and facilities that are not altered after November 29, 2006, and which comply with the former Appendix A to this part, are not required to be retrofitted to comply with the requirements set forth in Appendices B and D to 36 CFR part 1191 and Appendix A to this part.*

On non-transportation projects following the DOJ standards, the safe harbor clause per 28 CFR 35.151 (b) (4) (ii) (C) applies, and those elements are assessed against 1991 ADA standards or UFAS.

#### 28 CFR § 35.151

*28 CFR 35.151 (b) (4) (ii) (C) Safe harbor. If a public entity has constructed or altered required elements of a path of travel in accordance with the specifications in either the 1991 Standards or the Uniform Federal Accessibility Standards before March 15, 2012, the public entity is not required to retrofit such elements to reflect incremental changes in the 2010 Standards solely because of an alteration to a primary function area served by that path of travel*

## 5 Scope of Work

To meet ADA Title II mandates, RCTC has engaged Bechtel to develop an ADA Self-Evaluation and Transition Plan for the buildings and facilities owned, operated, or used by RCTC. In addition, as part of this process, the Action Plan was also developed to detail the non-physical barriers in RCTC processes and procedures. This is discussed in detail in Chapter 7 of this report.

The goal of the Self-Evaluation and ADA Transition (and Action) Plan is to provide equivalent access to the maximum extent feasible for individuals with disabilities.

Section 5.1 describes the Self-Evaluation requirements and Section 5.2 describes the Transition Plan requirements of the ADA Title II. Facilities that are excluded from the scope of this self-evaluation and transition plan are detailed in Section 5.3. Section 5.4 depicts the physical locations and addresses of RCTC Facilities. Chapter 6 illustrates the property limits of each RCTC facility that was evaluated, followed by Chapter 7, which describes the method used for evaluation of RCTC facilities to identify physical barriers, and elaborates the method used for evaluation of RCTC policies, practices, and procedures to identify programmatic barriers.

### 5.1 Self-Evaluation

#### ADA Title II § 35.105 Self-Evaluation

*ADA Title II § 35.105 Self-evaluation, requires that*

- (a) A public entity shall, within one year of the effective date of this part, evaluate its current services, policies, and practices, and the effects thereof, that do not or may not meet the requirements of this part and, to the extent modification of any such services, policies, and practices is required, the public entity shall proceed to make the necessary modifications.*
- (b) A public entity shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments.*
- (c) A public entity that employs 50 or more persons shall, for at least three years following completion of the self-evaluation, maintain on file and make available for public inspection:
  - (1) A list of the interested persons consulted;*
  - (2) A description of areas examined and any problems identified; and*
  - (3) A description of any modifications made.**
- (d) If a public entity has already complied with the self-evaluation requirement of a regulation implementing section 504 of the Rehabilitation Act of 1973, then the requirements of this section shall apply only to those policies and practices that were not included in the previous self-evaluation.*

In compliance with the ADA Title II § 35.105 (a), this Self- Evaluation includes:

1. Examination of RCTC’s services, policies, and practices to ensure compliance with ADA Title II requirements, including accessibility of the RCTC website.
2. Examination of buildings and facilities delivered, owned, operated, or used by RCTC.

## RCTC ADA Self-Evaluation and Transition Plan

In compliance with ADA Title II § 35.105 (b), the following individuals with disabilities, or organizations representing individuals with disabilities listed below, were notified of the release of the self-evaluation and were invited to participate by submitting comments when the document was released for public review and comment.

	<b>Organization</b>	<b>Address</b>	<b>Email /Mailing Address</b>
1.	Commission on Disabilities, City of Riverside, CA.	3900 Main Street, 7th Floor Riverside, CA 92522	city_clerk@riversideca.gov
2.	Community Access Center	6848 Magnolia Ave # 150 Riverside, CA 92506	execdir@ilcac.org
3.	Californians for Disability Rights	1193 17th Street Los Osos, CA 93402	asseenbyme2020@gmail.com barnonhill@icloud.com
4.	California Department of Rehabilitation: Riverside District Office	2010 Iowa Avenue Riverside, CA 92507	P.O. Box 944222 Sacramento, CA 94244-2220
5.	Riverside County Office on Aging	3610 Central Avenue Riverside, CA 92506	Riverside County Office on Aging P.O. Box 2099 Riverside, California 92516
6.	Developmental Disabilities Area Board 12: Information and Advocacy	13800 Heacock Street Moreno Valley, CA 92533	sanbernardino@scdd.ca.gov
7.	Inland Regional Center: Developmentally Disabled Services	1365 S Waterman Avenue San Bernardino, CA 92408	P.O. Box 19037 San Bernardino, CA 92423
8.	Mayor's Commission on Aging	3900 Main Street Riverside, CA 92522	tridley@riversideca.gov
9.	Blindness Support Services Inc	3696 Beatty Dr # A, Riverside, CA 92506	info@blindnesssupport.com
10.	Citizens and Specialized Transit Advisory Committee	Riverside County Transportation Commission 4080 Lemon Street, 3rd Floor, Riverside, CA 92502	specializedtransit@rctc.com
11	Riverside County Transportation Network - Amma Transit Planning Inc	19069 Van Buren Blvd. Suite 114-378 Riverside, CA 92508	Mail@AmmaTransitPlanning.com

## RCTC ADA Self-Evaluation and Transition Plan

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The invitation letter sent to addresses listed above encouraged those organizations to extend the invitation to any other advocacy groups or organizations which are not listed but support the rights of the people with disabilities in Riverside County and beyond. Additionally, in compliance with ADA Title II § 35.105 (c), the Self- Evaluation Report will be maintained on file and will be available for public inspection on RCTC's website, and will include:

- 1) A list of the interested persons consulted,
- 2) A description of areas examined, and any problems identified; and
- 3) A description of any modifications made.

The list of the staff liaisons who were invited to participate in the preparation of this report is included in Attachment 1 – Departments and Programs. The self-evaluation was made available for public review and for review and comment by the organizations listed above on April, 18, 2022. The public review period for the RCTC ADA Self-Assessment and Transition Plan closed on May 28, 2022. In response, one email was received from Richard Smith, CEO of the Independent Living Partnership. The email confirmed receipt of the notice and it included a link to their news release on a study "Transportation Bill of Rights Issued for Persons with Disabilities." Refer to Appendix J, Public Review Comment. No other comments were provided on RCTC's ADA Self-Assessment and Transition Plan.

A description of the areas examined for self-evaluation are listed in Table 1 of this chapter. Attachments 2 through 5 detail the results of the examination of RCTC's policies, practices, and procedures which are also summarized in Chapter 7 and detailed in the Action Plan, Attachment 9.

The self-evaluation was conducted by Virajita Dankar (Senior Architect) and Basem Makarem (Field Engineer) under the supervision of Erik Galloway (Project Manager).

A list of the RCTC buildings and facilities that were inspected are included in Table 2, Section 5.4. Physical barriers in each of these facilities have been identified and modifications to resolve the barriers are included in Attachments 6A through 6P, as well as in the Transition Plan, Attachment 8.

ADA Title II § 35.105 (d), noted as a requirement above, is not applicable as this document is the first self-evaluation conducted by RCTC.

### **5.1.1. Method of Review for Self-Evaluation**

As per the DOJ ADA Title II Technical Assistance Manual II-8.2000, a self-evaluation is a public entity's assessment of its current policies and practices. The self-evaluation identifies those policies and practices that are inconsistent with Title II's requirements.

As part of the self-evaluation, the self-evaluation team has completed the following:

1. Identified RCTC's programs, activities, and services (Chapter 7 of this report);
2. Reviewed RCTC's personnel policies and procedures manual (PPPM) included as Appendix D;
3. Reviewed RCTC's Request for Qualification, and Bid and Contract Documents (Appendix C1, C2, and C3);
4. Evaluated RCTC's ADA Title II policies and practices using questionnaires that were sent out to all departments.

Staff liaisons from these departments were consulted for the evaluation of policies, practices, and procedures. The departments are:

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01 July, 2022

## RCTC ADA Self-Evaluation and Transition Plan

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1. **Clerk of the Board**
  - Records
2. **External Affairs**
  - Public Affairs
  - Commuter & Motor Assistance
3. **Multimodal Services**
  - Transit and Rail Management
4. **Planning and Programming**
5. **Human Resources & Administration**
6. **Finance and Accounting**
  - Finance and Administration
7. **Procurement**
8. **Capital Projects**
  - Design
  - Construction
  - Right-of-Way
  - Facilities Management
9. **Toll Program and Operations**
10. **Regional Conservation Agency**
  - Reserve Management/Monitoring Manager

There are 13 program areas recommended by DOJ ADA Title II Technical Assistance Manual II-8.2000 that are to be examined when conducting a self-evaluation. The 13 program areas are tabulated below (Table 1) along with actions that are required. Actions include a review and modification of policies and procedures.

To conduct the self-evaluation of programs and policies, questionnaires related to these 13 program areas were sent to staff liaisons in RCTC's departments, which are listed in:

- Attachment 1, Departments and Programs

Responses to the questionnaires sent to various RCTC departments are included as attachments. These are:

- Attachment 2 – General Nondiscrimination
- Attachment 3 – Effective Communication
- Attachment 4 – Website Accessibility
- Attachment 5 – Administrative Requirements

These attachments are also assigned to their applicable program area in Table 1.

The questions in these attachments are based on templates prepared by the New England ADA Center, a project of the Institute for Human Centered Design, and relevant questions selected from the Sacramento County Self-Evaluation and Transition Plan were also used to conduct the self-evaluation.

As part of the self-evaluation process, an examination of each program must be performed to determine whether any physical barriers to access exist. This examination to identify physical barriers in each facility was conducted by way of accessibility surveys and field inspections of RCTC facilities using measuring tools and the ADA checklists. The ADA checklists that were developed for this assessment were based on the following:

- Checklists used to evaluate permanent pedestrian facilities included in Caltrans' "Permanent Pedestrian Facilities ADA Compliance Handbook" and DIB 82-06 (see Attachment 6X).
- ADA Checklist for Existing Facilities template, which is a product of the New England ADA Center, a project of the Institute for Human Centered Design. Funding for the checklist was from the U.S. Department of Education. The checklist is available at no cost at [www.ADAChecklist.org](http://www.ADAChecklist.org) (see Attachment 6Y).

## RCTC ADA Self-Evaluation and Transition Plan

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When measuring widths and slopes, a measuring tape and smart level were utilized as per the method described in the Caltrans Permanent Pedestrian Facilities ADA Compliance Handbook.

The findings from the assessment of physical barriers are noted in Attachments 6A through 6P for each RCTC facility.

The self-evaluation should identify steps that need to be taken to enable these programs to be made accessible when viewed in their entirety. Attachment 7, Program Accessibility, provides references to both structural and nonstructural solutions to demonstrate that RCTC’s services, programs, or activities, when “viewed in their entirety,” will be accessible.

**Table 1 – Program Areas for Self-Evaluation**

No.	Areas of Examination	Actions	Documents Addressing the Areas of Examination
1	Physical barriers to access	<p>Examine each program to determine whether any physical barriers to access exist.</p> <p>Identify steps that need to be taken to enable these programs to be made accessible when viewed in their entirety.</p> <p>If structural changes are necessary, they should be included in the Transition Plan.</p>	<p>Attachments 6A through 6P</p> <p>Attachment 7</p> <p>Attachment 8</p>
2	Policies that may exclude or limit participation of individuals with disabilities in programs	<p>Review RCTC policies and practices to determine whether any exclude or limit participation of individuals with disabilities. Such policies or practices must be modified, unless they are necessary for the operation or provision of the program, service, or activity.</p> <p>Identify policy modifications to be implemented and include complete justifications for any exclusionary or limiting policies or practices that will not be modified.</p>	<p>Attachment 2</p> <p>Attachment 5</p>

## RCTC ADA Self-Evaluation and Transition Plan

No.	Areas of Examination	Actions	Documents Addressing the Areas of Examination
3	Effective communication with members of the public with disabilities	<p>If RCTC communicates with applicants and beneficiaries by telephone, it should ensure that Telecommunications Devices for the Deaf (TDD) or equally effective telecommunication systems are used to communicate with individuals with impaired hearing or speech.</p> <p>If a public entity provides telephone emergency services, it should review its policies to ensure direct access to individuals who use TDD and computer modems.</p>	Attachment 3 Attachment 9
4	Provisions of auxiliary aids and services for individuals with disabilities	<p>Review RCTC policies to ensure that they include provisions for screen readers for individuals with visual impairments; interpreters or other alternative communication measures, as appropriate, for individuals with hearing impairments; and amanuenses (person who will dictate for another) for individuals with manual impairments.</p> <p>A method for securing these services should be developed, including guidance on when and where these services will be provided.</p> <p>Where equipment is used as part of a public entity's program, activity, or service, an assessment should be made to ensure that the equipment is usable by individuals with disabilities, particularly individuals with hearing, visual, and manual impairments. In addition, a public entity should have policies that ensure that its equipment is maintained in operable working order.</p>	Attachment 2 Attachment 3 Attachment 4

## RCTC ADA Self-Evaluation and Transition Plan

No.	Areas of Examination	Actions	Documents Addressing the Areas of Examination
5	Emergency evacuation procedures	<p>Review procedures to evacuate individuals with disabilities during an emergency.</p> <p>Installation of visual and audible warning signals.</p> <p>Special procedures for assisting individuals with disabilities from a facility during an emergency.</p>	Attachment 2 Attachment 9
6	Disability awareness	Conduct review of a public entity's written and audio-visual materials to ensure that individuals with disabilities are not portrayed in an offensive or demeaning manner.	Attachment 2
7	Services and activities provided within a registered historic site	For operations in historic preservation programs, review RCTC policies to ensure that it gives priority to methods that provide physical access to individuals with disabilities.	Not Applicable
8	Policies concerning fundamental alterations to a program, activity, or service	Review RCTC policies to ensure that its decisions concerning a fundamental alteration in the nature of a program, activity, or service, or a decision that an undue financial and administrative burden will be imposed by Title II, are made properly and expeditiously.	Attachment 2
9	Access to public meetings	Review policies and procedures to ensure that individuals with mobility impairments are provided access to public meetings.	Attachment 2
10	Human Resources programs and policies related to nondiscrimination	Review employment practices to ensure that they comply with other applicable nondiscrimination requirements, including Section 504 of the Rehabilitation Act and the ADA regulation issued by the Equal Employment Opportunity Commission.	Attachment 2

## RCTC ADA Self-Evaluation and Transition Plan

No.	Areas of Examination	Actions	Documents Addressing the Areas of Examination
11	Construction policies	Review building and construction policies to ensure that the construction of each new facility or part of a facility, or the alteration of existing facilities after January 26, 1992, conforms to the standards designated under the Title II regulation.	Attachment 2  Appendix C1, C2, C3
12	Staff training and support	A review should be made to ascertain whether measures have been taken to ensure that employees of a public entity are familiar with the policies and practices for the full participation of individuals with disabilities. If appropriate, training should be provided to employees.	Attachment 2
13	ADA related drug use policy	If a public entity limits or denies participation in its programs, activities, or services based on drug usage, it should make sure that such policies do not discriminate against former drug users, as opposed to individuals who are currently engaged in illegal use of drugs.	Attachment 2

### 5.2 Transition Plan

As stated previously, the self-evaluation identifies barriers in practices, policies, procedures, and physical barriers at facilities and buildings. The modifications, corrections, or changes that are necessary to address the barriers are discussed in the ADA Transition and Action plans. The ADA Transition plan addresses structural solutions to architectural barriers in RCTC facilities which is summarized in this section with the detailed solutions to each barrier included in Attachment 8. The ADA Action plan identifies the non-structural solutions to address the barriers in practices, policies, and procedures; this includes recommendations to modify or add new processes or procedures which is covered in more detail in Chapter 7 and Attachment 9 of this report.

## RCTC ADA Self-Evaluation and Transition Plan

### ADA Title II § 35.150 (d) Transition Plan

*ADA Title II § 35.150 (d) Transition plan requires that*

- (1) In the event that structural changes to facilities will be undertaken to achieve program accessibility, a public entity that employs 50 or more persons shall develop, within six months of January 26, 1992, a transition plan setting forth the steps necessary to complete such changes. A public entity shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments. A copy of the transition plan shall be made available for public inspection.*
- (2) If a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.*
- (3) The plan shall, at a minimum—*
  - (i) Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;*
  - (ii) Describe in detail the methods that will be used to make the facilities accessible;*
  - (iii) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and*
  - (iv) Indicate the official responsible for implementation of the plan.*

In compliance with ADA Title II § 35.150 (d) (1), a copy of the transition plan was made available for public review and comment through issuance of this report. Notifications were issued for the public review period and the documents are also posted on RCTC's website. Refer to Appendix H, Notification Letters, and Appendix J, Public Review Comment.

RCTC has responsibility over parking lots and walkways within RCTC's commuter rail stations and RCTC owned office buildings. In compliance with ADA Title II § 35.150 (d) (2), a schedule is prepared for providing/correcting curb ramps or other sloped areas where pedestrians will walk, giving priority to walkways serving entities covered by the ADA.

In compliance with ADA Title II § 35.150 (d) (3), the scope of work for the ADA Transition Plan includes:

- Identification of physical obstacles in RCTC buildings and facilities that limit the accessibility of its programs or activities to individuals with disabilities, also described in Attachments 6A through 6P.
  - Description in detail of the methods that will be used to make the facilities accessible.
  - Schedule for taking the steps necessary to achieve compliance with ADA requirements. Since the time period of the transition plan is longer than one year, items have been scheduled to be addressed for each year of the transition period.
- a) The responsible official for implementation of the ADA Transition Plan is RCTC's ADA Coordinator, Aaron Hake.

### 5.3 Work Not Included

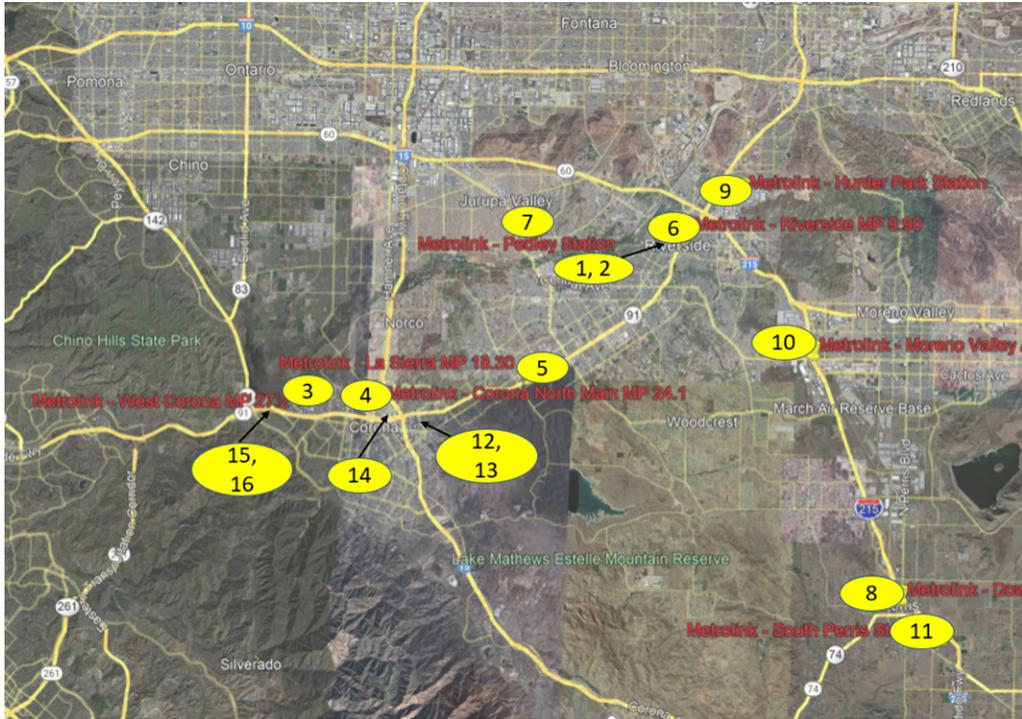
During the execution of the Self-evaluation, as noted before, inspections were carried out for RCTC facilities to identify the physical barriers to ADA access. Some facilities/properties were not evaluated, and they are detailed within this section.

1. Pedestrian facilities within the public right of way that connect to but are outside the property lines of RCTC's facilities and buildings are not included in this scope of evaluation. These facilities are owned by and are the responsibility of other agencies. Chapter 6 of this report defines the RCTC property limits that were used in the evaluation process.
2. The layover facilities in South Perris and Downtown Riverside stations were not evaluated due to access being strictly restricted to authorized Metrolink personnel only.
3. RCTC owns the Perris Valley Line (PVL) rail line from the Citrus Connection to Hemet/San Jacinto. All the rail stations along Interstate (I) 215 are serviced from the RCTC rail line. The rail corridor is not meant for public access and is excluded from this report.
4. RCTC owns properties along the BNSF Railroad along Commerce Street between Mission Inn Avenue and 3<sup>rd</sup> Street in Riverside, California. This property is fenced and unoccupied land. The area is not meant for public access and was not evaluated.
5. Mitigation lands that RCTC owns through RCA are areas restored to native habitat; they are not meant to be accessed by public and foot travel is discouraged. Any pre-existing undesignated, undeveloped, and unmaintained pedestrian trails on these lands that have never been altered/constructed were not evaluated. RCTC/RCA works with individuals who use wheelchairs to provide access to specific wilderness areas and provides reasonable accommodation by using a county vehicle to provide access to areas that are reasonably accessible by vehicle upon request of at least 72 hours prior to the visit.
6. RCTC operates and maintains the State Route 91 Express Lanes from the Orange County line to approximately I-15 and the I-15 Express Lanes from the San Bernardino County line south to approximately Weirick Road in Riverside County on a 50-year lease agreement. There are no pedestrian facilities within these lanes and the express lanes were not evaluated for physical barriers.
7. RCTC supports transit operators throughout Riverside County to provide many alternatives to driving by providing funding. Services offered by these transit operators are not included in the scope of this self-evaluation.
8. Passenger vehicles are not included in the scope of this self-evaluation.
9. Commuter rail trains servicing RCTC commuter rail stations are under the jurisdiction of SCRRA and were not included in the scope of this self-evaluation.

### 5.4 Work Included

This report will assist RCTC with meeting the functional goals and legal requirements mandated by the Rehabilitation Act and ADA Title II for the buildings and facilities listed in Table 2.0. and indicated on Figure 2.0.

## RCTC ADA Self-Evaluation and Transition Plan



**Figure 2.0 – Map showing RCTC Buildings and Facilities**

Google earth V 6.2.2.6613. (August 5, 2021).

Riverside County 33° 50' 21.93" N, 117° 23' 03.61" W Eye 40.56mi. <http://earth.google.com>  
(November 11, 2021)

**RCTC ADA Self-Evaluation and Transition Plan**

**Table 2.0 – RCTC Buildings and Facilities**

	<b>Building/Facility Name</b>	<b>Address/ Location</b>	<b>Area</b>	<b>Remarks</b>
1	RCTC Office Space County of Riverside Building	4080 Lemon St., 3rd Floor, Riverside, CA 92501	~ 21,514 sq. ft.	Office space, leased from County of Riverside
2	Regional Conservation Authority Office Space	3403 10th St., Suite 320, Riverside, CA 92501	~ 6299 sq. ft.	Office space, leased from County of Riverside
3	West Corona Metrolink Station	(33°53'6.53"N, 117°36'47.60"W)  155 Auto Center Dr., Corona, CA 92880	5.49 acre	Commuter Rail Station
4	North Main Corona Station	(33°52'59.01"N, 33°52'59.01"W)  250 E Blaine St., Corona, CA 92879	6.72 acre	Commuter Rail Station and parking garage
5	La Sierra Station	(33°53'56.87"N, 117°28'7.38"W)  La Sierra Station Riverside, CA 92503	30.29 acre	Commuter Rail Station
6	Riverside Downtown Station & Operations Center	(33°58'32.69"N, 117°22'11.76"W)  4066 Vine St., Riverside, CA 92507	26.5 acre	Commuter Rail Station (Operations Center is a separate building at the Station)
7	Pedley Station	(33°58'44.04"N, 117°28'35.00"W)  6001 Pedley Rd., Riverside, CA 92509	4.5 acre	Commuter Rail Station
8	Downtown Perris Station / Perris Transit Center	(33°47'4.11"N, 117°13'46.84"W)  121 S C St., Perris, CA 92570	5.5 acre	Commuter Rail Station and Bus Transfer Facility

## RCTC ADA Self-Evaluation and Transition Plan

	<b>Building/Facility Name</b>	<b>Address/ Location</b>	<b>Area</b>	<b>Remarks</b>
9	Riverside Hunter Park Station	(33°59'51.44"N, 117°20'8.72"W)  1101 Marlborough Ave., Riverside, CA 92507	9.35 acre	Commuter Rail Station (includes shuttle buses to and from UCR)
10	Moreno Valley/March Field Station	(33°54'47.54"N, 117°17'20.23"W)  14160 Meridian Pkwy., Riverside, CA 92518	14.47 acre	Commuter Rail Station
11	South Perris Station and Layover Facility	(33°45'20.52"N, 117°11'32.48"W)  1304 Case Rd., Perris, CA 92570	40.57 acre	Commuter Rail Station (Layover Facility not evaluated)
12	Regional Operations Center (ROC)	(33°52'57.48"N, 117°32'5.63"W)  291 Corporate Terrace Cir., Corona, CA 92879	~ 8,000 sq. ft.	Toll Facility (office building)
13	Customer Service Center (CSC)	(33°52'57.48"N, 117°32'5.29"W)  301 Corporate Terrace Cir., Corona, CA 92879	7350 sq. ft.	Toll Facility (office building)
14	Facility and Maintenance Warehouse (FAM)	(33°52'49.32"N, 117°33'39.60"W)  120, N Joy St., Corona, CA 92879	~ 10,720 sq. ft.	Toll Facility (warehouse)
15	TUB 1 – 91 West Toll Utility Building	Located in the median of State Route 91 freeway	~ 500 sq. ft.	Toll Facility, Utility Building
16	TUB 2 – 91 East Toll Utility Building	Located in the median of State Route 91 freeway	~ 500 sq. ft.	Toll Facility, Utility Building

## 6 RCTC Site Boundary Limits

RCTC owns the commuter rail stations in Riverside County, their parking lots, Perris Valley Line (PVL) rail line, and the included PVL stations. RCTC leases two office properties in downtown Riverside from the county of Riverside. In addition, RCTC owns three commercial office/warehouse buildings to support the express lanes program. Images below depict the limits of RCTC's property that were extracted from the Riverside County Information Technology (RCIT) Map My County website on August 31, 2021.

[https://gis1.countyofriverside.us/Html5Viewer/index.html?viewer=MMC\\_Public](https://gis1.countyofriverside.us/Html5Viewer/index.html?viewer=MMC_Public)

### 6.1 RCTC Office - Portion of 3<sup>rd</sup> Floor, County of Riverside Building, Lemon Street



**Figure 2.1, Image of RCTC Office Building Site Boundary**

For this office only a portion of the third floor is occupied and used by RCTC.

## 6.2 RCA Office - Portion of 3<sup>rd</sup> Floor, County of Riverside Building. Tenth Street

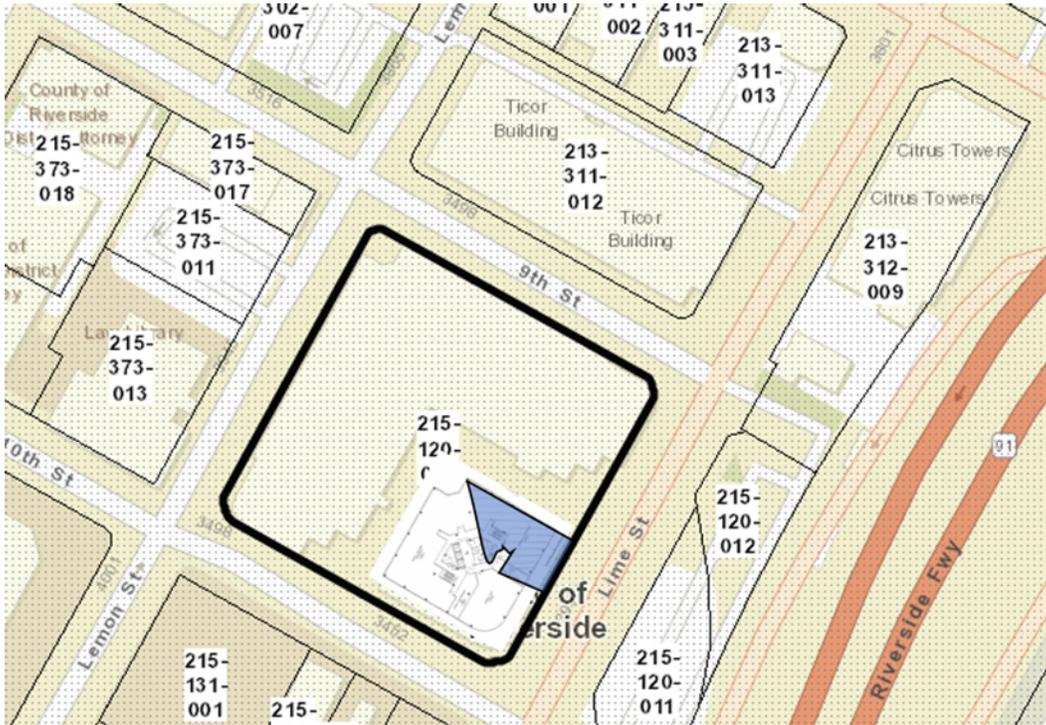


Figure 2.2, Image of RCA Office Building Site Boundary

For this office only the third floor is occupied and used by RCA.

## 6.3 West Corona Metrolink Station



Figure 2.3, Image of West Corona Metrolink Station Site Boundary

The platforms, pedestrian overcrossings, towers, and parking lot are owned and maintained by RCTC; the land for the rail tracks is owned and maintained by BNSF RR.

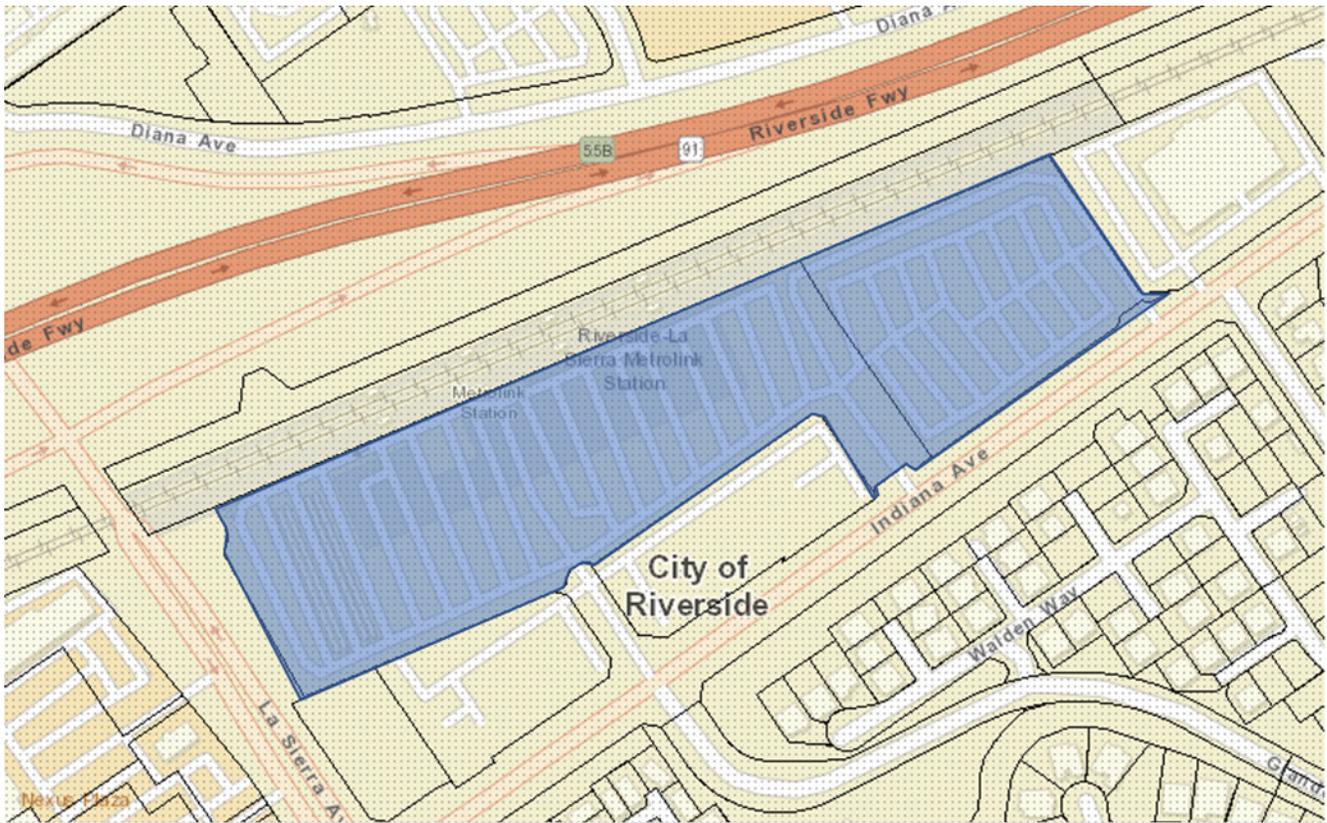
## 6.4 North Main Corona Station



Figure 2.4, Image of North Main Corona Station Site Boundary

The platforms, pedestrian overcrossings, towers, and parking lot are owned and maintained by RCTC; the land for the rail tracks is owned and maintained by BNSF RR.

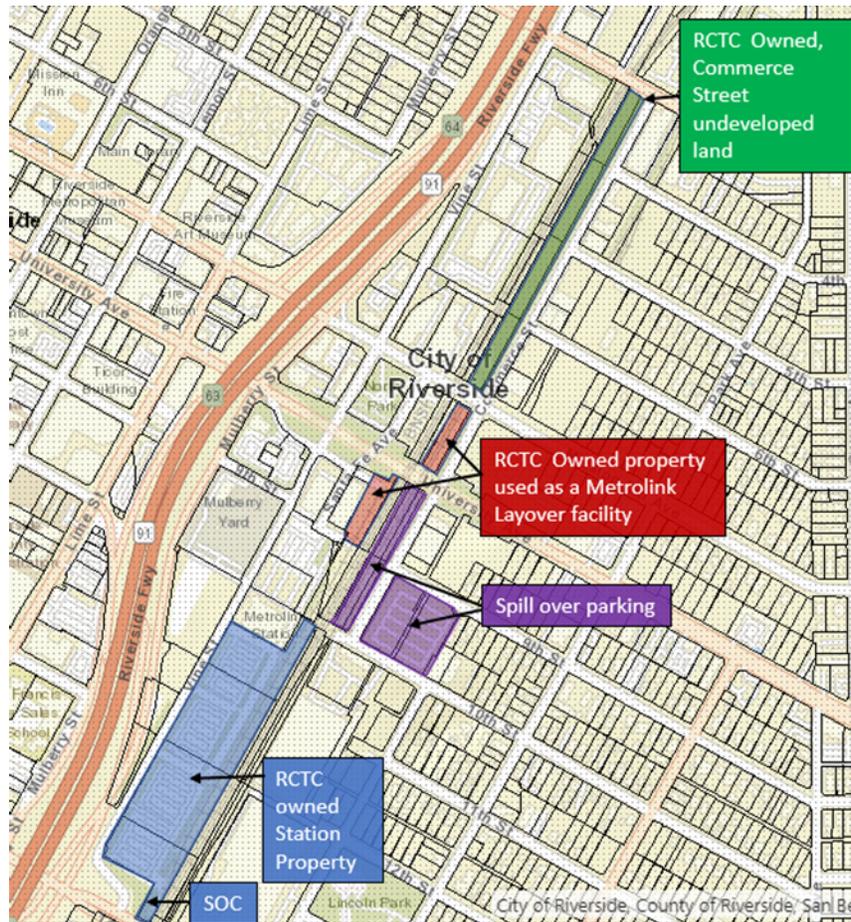
## 6.5 La Sierra Station



**Figure 2.5, Image of La Sierra Station Site Boundary**

The platforms, pedestrian overcrossings, towers, and parking lot are owned and maintained by RCTC; the land for the rail tracks is owned and maintained by BNSF RR.

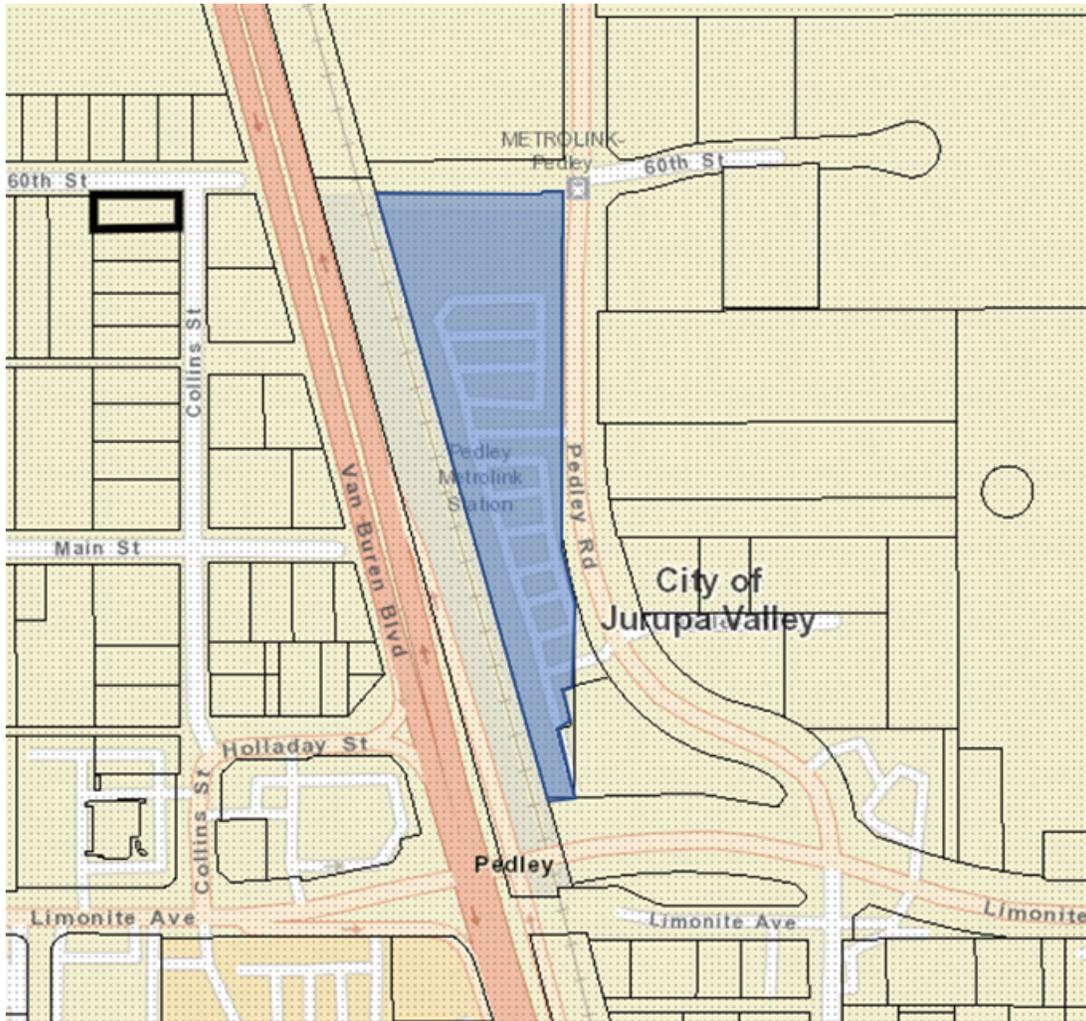
## 6.6 Riverside Downtown Station



**Figure 2.6, Image of Riverside Downtown Station Site Boundary and nearby RCTC properties**

The station site and spill over parking lot was evaluated. The platforms, pedestrian overcrossings, towers, and Security Operations Center (SOC) are owned and maintained by RCTC; the land for main line rail tracks is owned and maintained by BNSF RR. The station siding and layover tracks are maintained by SCRRA.

## 6.7 Pedley Station



**Figure 2.7, Image of Pedley Station Site Boundary**

The platforms and parking lots are owned and maintained by RCTC; the land for rail tracks is owned and maintained by UPRR.

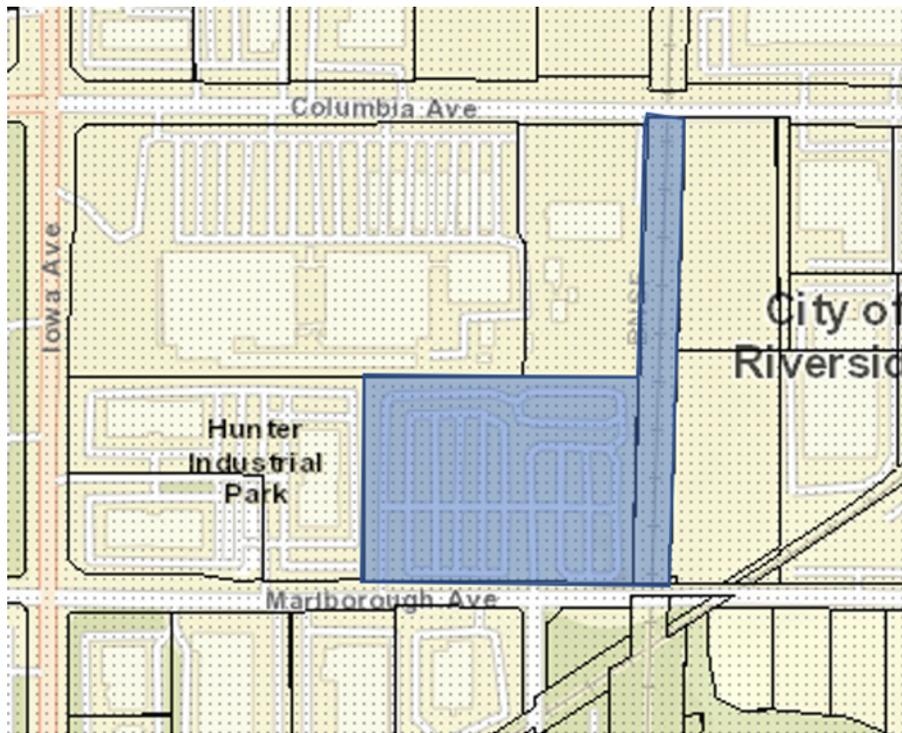
## 6.8 Downtown Perris Station



**Figure 2.8, Image of Downtown Perris Station Site Boundary**

RCTC owns the PVL railroad, but maintenance of the railroad within 20-feet from the centerline of the tracks is the responsibility of SCRRRA. The portion of the rail corridor not maintained by SCRRRA falls under the maintenance responsibility of RCTC. The railroad right of way was not reviewed as it is not accessed by public, except at rail crossings which were evaluated. The platforms and parking lots are owned and maintained by RCTC.

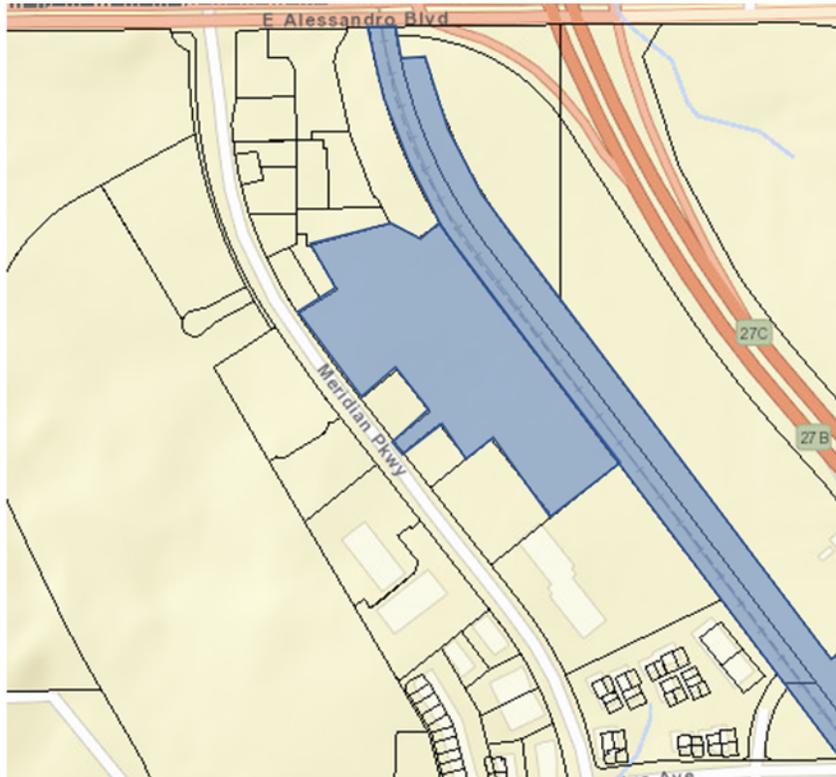
## 6.9 Riverside Hunter Park Station



**Figure 2.9, Image of Riverside Hunter Park Station Site Boundary**

RCTC owns the PVL railroad, but maintenance of the railroad within 20-feet from the centerline of the tracks is the responsibility of SCRRA. The portion of the rail corridor not maintained by SCRRA falls under the maintenance responsibility of RCTC. The railroad right of way was not reviewed as it is not accessed by public, except at rail crossings which were evaluated. The platforms and parking lots are owned and maintained by RCTC.

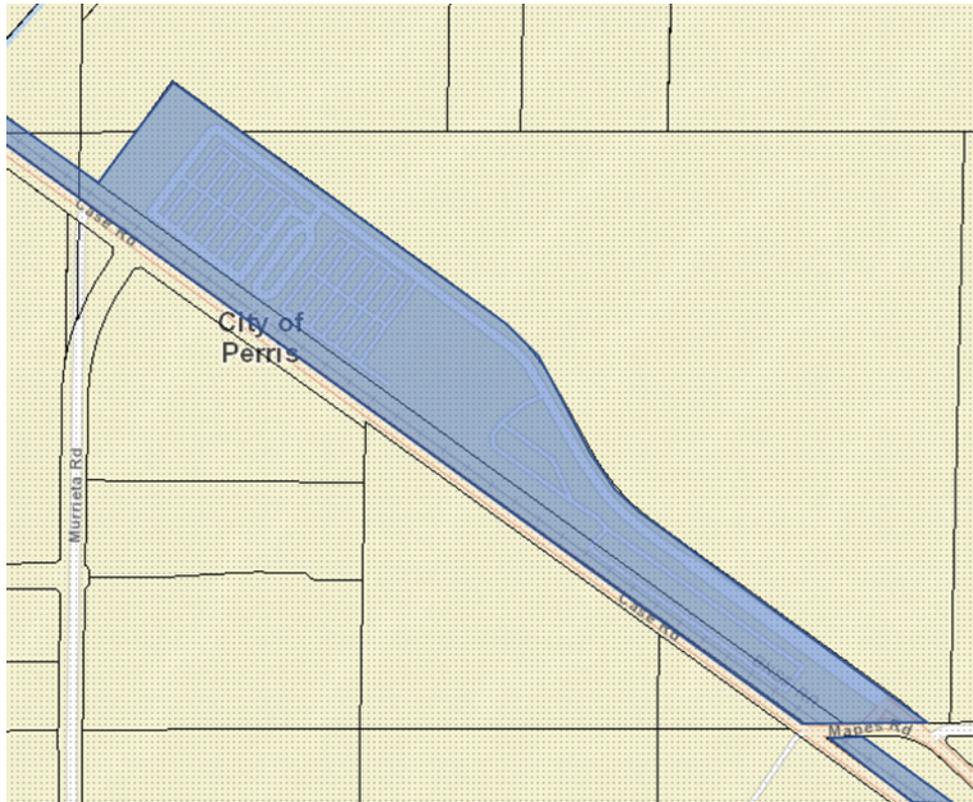
### 6.10 Moreno Valley/March Field Station



**Figure 2.10, Image of Moreno Valley/March Field Station Site Boundary**

RCTC owns the PVL railroad, but maintenance of the railroad within 20-feet from the centerline of the tracks is the responsibility of SCRRA. The portion of the rail corridor not maintained by SCRRA falls under the maintenance responsibility of RCTC. The railroad right of way was not reviewed as it is not accessed by public, except at rail crossings which were evaluated. The platforms and parking lots are owned and maintained by RCTC.

## 6.11 South Perris Station



**Figure 2.11, Image of South Perris Station Site Boundary**

RCTC owns the PVL railroad, but maintenance of the railroad within 20-feet from the centerline of the tracks is the responsibility of SCRRA. The portion of the rail corridor not maintained by SCRRA falls under the maintenance responsibility of RCTC. The railroad right of way was not reviewed as it is not accessed by public, except at rail crossings which were evaluated. The platforms and parking lots are owned and maintained by RCTC. RCTC owns the land that the layover facility is located on but SCRRA maintains the tracks, layover facility, and crew office for Metrolink personnel and controls access to the area to only SCRRA personal.

## 6.12 Regional Operations Center (ROC)

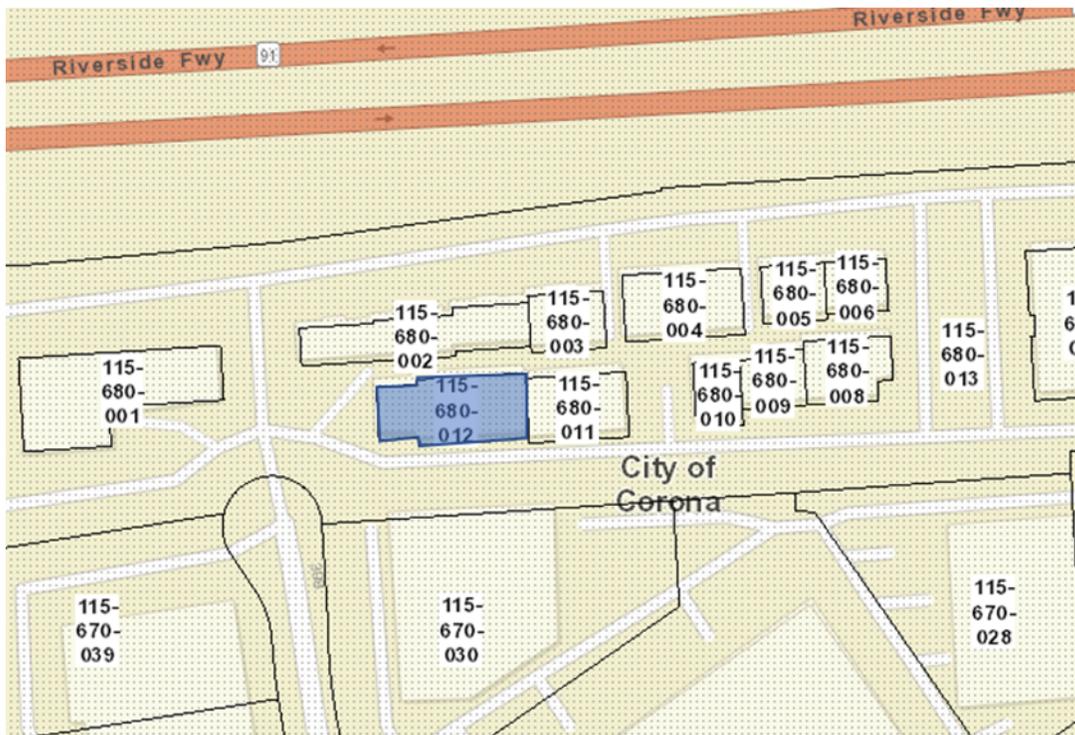


Figure 2.12, Image of ROC Site Boundary

## 6.13 Customer Service Center (CSC)

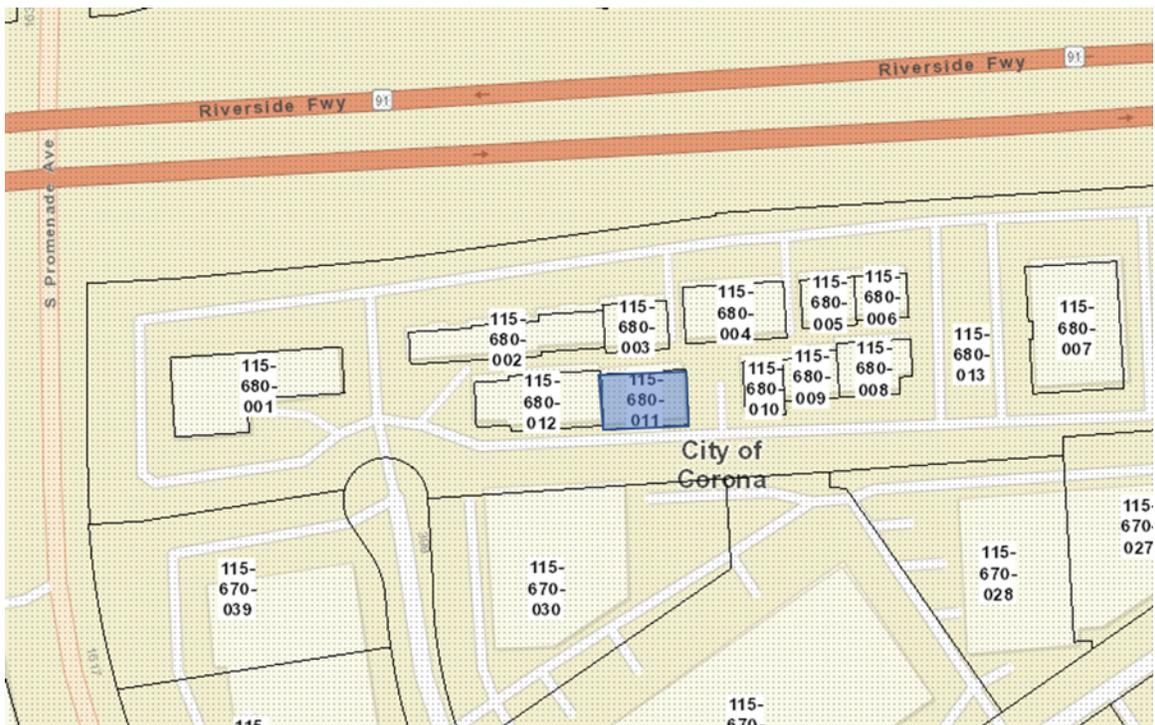
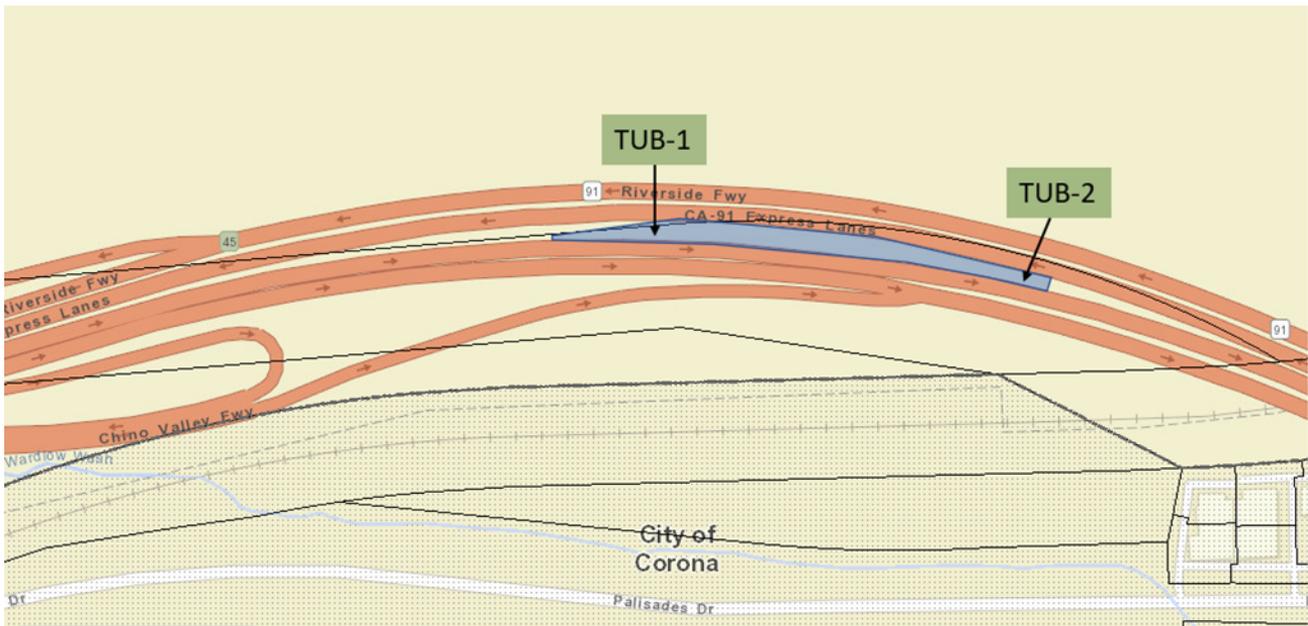


Figure 2.13, Image of CSC Site Boundary



## 6.16 TUB 2 – 91 East Toll Utility Building



**Figure 2.15, Image of TUB-1 and TUB 2 Site Boundary**

The Toll Utility Buildings (TUB)s 1 and 2 are located in the median of State Route 91 as shown in the image above. The buildings are not accessible to the general public; however, these are designed for compliance to ADA requirements in accordance with California Building Code.

## 7 Evaluation of Physical and Programmatic Barriers

### 7.1 Self-Evaluation of Physical Barriers

#### Self - Evaluation of Physical Barriers in Stations

Barriers inside buildings and on the pedestrian routes within the boundary lines of buildings and facilities owned, operated, or used by RCTC were assessed by members of the self-evaluation team using a tape measure, a smart phone app, a smart level, and use of the ADA checklists (Attachments 6X and 6Y), described in Chapter 5.

Public rights of way leading from RCTC's commuter rail stations and accessing government offices, medical facilities, downtown core areas, school zones, residential areas, and other significant areas that do not fall within RCTC boundary lines are not evaluated in this report.

Rest areas, parks, or shared use trails are not located within the RCTC boundary lines, thus, were not evaluated.

The elements assessed in the stations include:

1. Curb ramps (includes evaluation of slopes, cross slopes, gutter slope, and detectable warning surfaces)
2. Pedestrian road crossings (includes evaluation of slopes and cross slopes)
  - a. Pedestrian push button signals (access to push buttons and placement height, where applicable within RCTC boundary)
3. Accessible routes
  - a. Walking surfaces (includes evaluation of slopes, cross slopes, trip hazards, protrusions, and minimum required widths)
  - b. Elevators (elevators comply with the accessibility requirements of the California Building Code applicable at the time of permit. Elevators are annually inspected and certified by State Division of Occupational Safety and Health – Elevator Unit. Cab size, location of call controls, in-car buttons and emergency controls, audible and visible signals, illuminated call buttons, hoist-way signs, and tactile signs were evaluated)
  - c. Pedestrian Bridge (includes evaluation of slopes, cross slopes, trip hazards, and handrails)
  - d. Stairs (includes handrails)
  - e. Ramps (includes handrails)
4. Platforms
  - a. Walking surfaces (includes detectable warning surfaces)
  - b. Mini High platforms and ramps (includes handrails)
5. Pedestrian rail crossings (includes evaluation of wheel flange gaps, trip hazards, and detectable warning surfaces)

## RCTC ADA Self-Evaluation and Transition Plan

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6. Access to public amenities
  - a. Ticket vending/validation machines (TVM)
  - b. Benches
  - c. Trash cans
  - d. Drinking fountain
  - e. Communication Systems-passenger information phones, blue emergency phones, yellow call boxes, service phones, emergency phones
  - f. Vending machines
  - g. Rack for flyers (where applicable)
7. Accessible parking spaces and aisles
8. Bus stops
9. Signage (evaluated for clearances and protrusions in accessible route only; signage is based on SCRRRA standards and owned and installed by SCRRRA)
10. Public Address Systems (public address systems are based on SCRRRA standards and are not under RCTC's jurisdiction or announcement control; however, they comply with the requirement to convey audible information to the public, in a visual format)
11. Staff facilities
  - a. Security staff office (where applicable)
  - b. Staff toilet (where applicable)
  - c. Dumpster

Results of these assessments are recorded in Attachments 6A through 6I.

### **Self-Evaluation of Physical Barriers in Other RCTC Buildings and Facilities**

The following elements were assessed inside the RCTC offices and toll buildings:

1. Entry doors (signs and maneuvering clearances)
2. Exits (signs, doors, and maneuvering clearances)
3. Exterior accessible routes (widths, protruding objects, trip hazards)
4. Common use employee areas such as:
  - a. Entry Lobby
  - b. Corridors
  - c. Locker room
  - d. Open office areas
  - e. Controls for lights, thermostats, etc.
5. Restrooms
6. Break room
7. Conference/Meeting rooms
8. Fire Alarm System
9. Signage
10. Employee work areas (access to)

Results of these assessments are recorded in Attachments 6J through 6P.

## 7.2 Self-Evaluation of Policies, Procedures, and Practices

As part of the self-evaluation, questionnaires were issued to RCTC's departments and programs to identify any programmatic barriers. Responses to these questions revealed that there may be some barriers to accessibility present in the existing policies, programs, and procedures. The responses are included in Attachments 2 through 5. General program accessibility and specific program accessibility issues are summarized below. Results of the assessments are included in Attachments 2, 3, 4, and 5. Actions required to remove the identified barriers are included in Attachment 9, Action Plan.

RCTC services that have direct interface with the public include Toll, Freeway Service Patrol (FSP), and Vanpool. RCTC contractually requires their contractors and approved vendors to comply with ADA requirements. All RCTC Van Club approved vanpool vendors have accessible vehicles available for vanpool groups that comply with the Americans with Disabilities Act (ADA).

### 7.2.1. Departments and Programs

The staff liaisons from all RCTC departments and programs who were contacted for the self-evaluation of the general nondiscrimination policies and department specific policies for ADA compliance are listed in Attachment 1 – Departments and Programs.

### 7.2.2. Nondiscrimination

Equal treatment and access are a fundamental purpose of the ADA. People with disabilities must not be treated in a different or inferior manner. Title II regulations cover a wide range of issues which were included in the General Nondiscrimination questionnaire. The evaluation of responses to the General Nondiscrimination survey questions that were sent out to the staff liaisons from all RCTC departments is included in Attachment 2 - Evaluation of General Nondiscrimination Policies. Attachment 2 also lists the corresponding ADA Title II requirements and recommended best practices for each question and response. The following topics address the program areas included in Table 1 of Chapter 5.

#### 1. Nondiscrimination policies, procedures, and practices

RCTC'S policies, practices, and procedures generally provide an equal opportunity for people with disabilities to participate in services, programs, and activities; that is, the policies do not discriminate against people on the basis of disability. See Appendix D – RCTC' s Personnel Policies and Procedures Manual (PPPM) Section 1.4

RCTC's ADA Nondiscrimination Notice (Appendix E1) is posted on RCTC's website.

[https://www.rctc.org/wp-content/uploads/2018/05/RCTC-ADA\\_Section-504-Notice-and-Complaint-Procedure-c2\\_2018.05-w\\_BBK-Revisions-c2.pdf](https://www.rctc.org/wp-content/uploads/2018/05/RCTC-ADA_Section-504-Notice-and-Complaint-Procedure-c2_2018.05-w_BBK-Revisions-c2.pdf)

The following questions were submitted to RCTC's departments and programs to evaluate awareness of nondiscrimination policies, practices, and procedures:

- 1) *Do policies, practices and procedures provide an equal opportunity for people with disabilities to participate in services, programs, and activities; that is, do policies not discriminate against people on the basis of disability? Please provide policy numbers and copies of these policies, practices, and procedures to identify if any policy modifications need to be implemented.*
- 2) *Are there circumstances in which the participation of a person with a disability would be excluded or restricted?*

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- 3) *If yes, are the exclusions or restrictions necessary to the operation of the program or to the safety of other participants?*
- 4) *Are there separate services, programs, or activities for people with disabilities or a class of people with disabilities?*

Based on the responses received, it was found that all departments are aware of RCTC's Human Resources policies addressing nondiscrimination per ADA requirements within the PPPM. Staff rely on contract language and procurement policies for each contract to ensure compliance to ADA requirements for contracted services.

There are no circumstances in which the participation of a person with a disability would be excluded or restricted, except for field positions at construction sites where driving and exposure to live traffic is cited as an example of a restriction imposed on persons having a disability.

DOJ 2010 ADA Standards, Section 203.2 Construction Sites, states that, "Structures and sites directly associated with the actual processes of construction, including but not limited to, scaffolding, bridging, materials hoists, materials storage, and construction trailers shall not be required to comply with these requirements or to be on an accessible route." Therefore, construction sites are not required to include accessible routes where public access is not allowed.

Responses state that all public meetings are held in accessible locations so that the participation of a person with a disability would not be excluded or restricted. Separate services, programs, and activities are provided and include designated ADA parking at all locations, emergency call boxes that are accessible, funding for specialized transit, mobility options to enhance quality of life, and special account type for persons with disabled plates to receive toll discounts. The goal of these programs is the equal participation of individuals with disabilities in the "mainstream" of American society.

Based on a review of documents provided, RCTC's Model Contract – Request for Qualification – Consultant Contracts document (Appendix C1), does not specifically mention compliance with the ADA, although it requires consultants and contractors to comply with all Laws and Regulations. Bid and Contracts Documents – Construction Contracts (Appendix C2), requires contractors to certify that they do not violate federal laws or Executive Orders relating to employment discrimination. Bid and Contract Documents - Federal Projects (Appendix C3) requires ADA compliance as a contract provision. It is recommended that:

- a) RCTC review the uniform contract language for contracting services (consultants and construction contracts) to ensure that it is worded in a nondiscriminatory manner, holding vendors/contractors/ consultants to State and Federal disability civil rights mandates that RCTC is subject to under law, specifically including compliance to the ADA set forth under 28 CFR 35. Because RCTC receives federal financial assistance, a similar provision requiring compliance with Section 504 requirements should be added, as well.
- b) It is recommended that RCTC's legal counsel review job descriptions for construction field positions prior to their posting to ensure ADA compliance and to confirm that the exclusions or restrictions are necessary to the operation of the program or to the safety of all participants.

### **2. Contracting with External Organizations**

Employees who contract with outside agencies, organizations, or businesses are required to know that the public entity's ADA obligations apply whether the public entity provides the service, program, or activity directly or contracts for it.

## RCTC ADA Self-Evaluation and Transition Plan

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The following questions were asked to evaluate awareness of this requirement:

- 5) *Do all employees who contract with outside agencies, organizations or businesses know that the public entity's ADA obligations apply whether the public entity provides the service, program, or activity directly or contracts for it?*
- 6) *Does the public entity notify each contractor of its responsibilities for providing contracted services in a nondiscriminatory manner?*
- 7) *Does the public entity require assurances from contractors of their fulfillment of Title II requirements?*
- 8) *Are there procedures to ensure that contractors provide the services, programs, and activities in a nondiscriminatory manner consistent with the Title II requirements?*

Based on the responses received, some of RCTC's staff are aware of this ADA requirement and some are not. The Procurement Policy Manual does not specifically address this as a Title II requirement, but Chapter 2-10 A of the manual requires that, "All formal contracts entered into by the Agency should contain appropriate clauses prohibiting discrimination by the contractor against any person or group of persons on account of race, color, religion, creed, national origin, ancestry, physical handicap, medical condition, age, marital status, sex or sexual orientation in the performance of the contract."

It is recommended that:

- a) RCTC require assurances from contractors of their fulfillment of Title II requirements.
- b) RCTC update contract provisions and specifications to specifically include that contractors need to provide the services, programs, and activities in a nondiscriminatory manner consistent with ADA Title II requirements.
- c) RCTC provide guidance to staff involved in the purchasing process to ensure that public funds are not being used to create barriers to access. For example, when purchasing new equipment or furniture, RCTC should ensure that any purchased equipment or furniture should be ADA compliant and provide equal access to those with disabilities.
- d) RCTC require accessibility reviews of designs for new construction or renovation projects for compliance to ADA standards.

### **3. Reasonable Modifications**

The ADA requires public entities to make "reasonable modifications" in their usual ways of doing things when necessary to avoid discrimination on the basis of disability unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity. A public entity does not have to take any action that it can demonstrate would result in a fundamental alteration in the nature of its program or activity, or in undue financial and administrative burdens. This determination can only be made by the head of the public entity, or his or her designee, and must be accompanied by a written statement of the reasons for reaching that conclusion. The determination that undue burdens would result must be based on all resources available for use in the program.

RCTC's PPPM Section 1.4.3.1 addresses provision of reasonable accommodation in compliance with the ADA and the Fair Employment and Housing Act (FEHA) for their employees and applicants. Section 1.4.3.2 addresses interactive process, as defined by the ADA and FEHA, to determine whether a qualified disabled applicant or employee is able to perform their essential functions.

## RCTC ADA Self-Evaluation and Transition Plan

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The following question was asked to evaluate the provision of reasonable accommodations in services offered by RCTC:

- 9) *Are employees and officials aware that the public entity is obligated to make a reasonable modification in policies, practices, or procedures if the modification is necessary for a person with a disability to participate? Please provide copy of the policy addressing policy modification requests and the determination of undue burden*

Based on the responses received, RCTC departments dealing with the public are generally aware of the requirement to provide reasonable accommodations. Contact information is provided on public meeting agendas and on notices for public hearings to request reasonable accommodations at least 72 hours prior to the meeting. Staff liaisons from most departments are not aware of the written policy addressing policy modification requests. However, the ADA Nondiscrimination Notice on the RCTC website states that, "RCTC will make reasonable accommodations to policies and procedures to ensure that all people have an equal opportunity to enjoy all of its programs, services, and activities."

RCTC does not appear to have a policy for providing statements of reasons for reaching a conclusion that a reasonable accommodation might result in undue financial or administrative burden to RCTC. Based on the responses to the question, it appears RCTC staff is not aware of who from RCTC is responsible for making the determination of undue burden on RCTC and who is required to take action to ensure that, to the maximum extent possible, individuals with disabilities receive the benefits or services provided by RCTC.

It is recommended that:

- a) Staff in all departments be provided with additional training and information regarding RCTC's ADA Nondiscrimination Notice that is posted on the agency's website. [https://www.rctc.org/wp-content/uploads/2018/05/RCTC-ADA\\_Section-504-Notice-and-Complaint-Procedure-c2\\_2018.05-w\\_BBK-Revisions-c2.pdf](https://www.rctc.org/wp-content/uploads/2018/05/RCTC-ADA_Section-504-Notice-and-Complaint-Procedure-c2_2018.05-w_BBK-Revisions-c2.pdf)
- b) RCTC should establish an internal procedure for documenting reasonable modification requests (such as allowing service animals) and determine the person/s responsible for deciding which request would fundamentally alter the nature of the goods, services, facilities, privileges, or accommodations. It would also have to identify who will take action to ensure that, to the maximum extent possible, individuals with disabilities receive the benefits or services provided by RCTC.

#### 4. Service Animals

Allowing service animals in areas where other animals are not allowed is a type of reasonable accommodation. Under the ADA, a service animal is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. Miniature horses can be service animals in some circumstances per DOJ. Entities must permit service animals to accompany people with disabilities in all areas where members of the public are allowed to go.

The following questions were asked to evaluate awareness of this requirement to permit service animals:

- 10) *Are employees and officials aware that*

- a. *The public entity must allow service animals to accompany people with disabilities in all areas where people without service animals are allowed to go?*
- b. *Only two questions may be asked: (1) Is the dog a service animal required because of a disability? and (2) What work or task has the dog been trained to perform?*

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- c. *The public entity may not ask about a person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task?*
- d. *A person with a disability cannot be asked to remove his service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken and, in these circumstances, employees must offer the person with the disability the opportunity to obtain goods or services without the animal's presence?*
- e. *The public entity must permit a miniature horse to accompany a person with a disability where reasonable? Assessment factors include, the size and weight, whether the horse is housebroken, and whether its presence compromises safety requirements.*

RCTC's written policies do not specifically address service animals. Some departments are unaware or unsure of the requirements described in the questions above.

It is recommended that:

- a) RCTC provide ADA regulations that address service animals to all staff in all departments .
- b) Staff who interact with the public be provided comprehensive training regarding ADA Title II requirements addressing wheelchairs, service animals, provision of space, and relief areas for service animals in public meetings/events. ADA training and training resources are available online at this link <https://adata.org/ada-training>.

### 5. Wheelchairs and Other Power-driven Mobility Devices

Public entities must allow people with disabilities who use wheelchairs and power-driven mobility devices into all areas where the public is allowed to go. Power-driven mobility devices may include Segway®, golf carts, and other devices designed to operate in non-pedestrian areas.

The following questions were asked to evaluate awareness of this requirement:

11) *Are employees and officials aware that*

- a. *People with mobility disabilities may use wheelchairs, scooters, and manually-powered mobility aids, such as walkers, crutches, canes, braces, or other similar devices designed for use by individuals with mobility disabilities in any areas open to pedestrian use?*
- b. *People with mobility disabilities may use other power-driven mobility devices in any areas open to pedestrian use unless the public entity can demonstrate that the class of other power-driven mobility devices cannot be operated in accordance with legitimate safety requirements?*
- c. *They may not ask about the nature and extent of the individual's disability, but may ask an individual to provide a credible assurance that the mobility device is required because of the person's disability? Credible assurance includes a state-issued, disability parking placard or card, or other state-issued proof of disability or a verbal representation, not contradicted by observable fact, that the other power-driven mobility device is being used for a mobility disability.*

Public entities are encouraged to develop written policies specifying which power-driven mobility devices will be permitted, and where and when they can be used. RCTC departments are generally aware but RCTC's PPPM and other policies do not specifically address wheelchairs and other power-driven mobility devices. These requirements have not been formally communicated to the departments.

## RCTC ADA Self-Evaluation and Transition Plan

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It is recommended that:

- a) RCTC provide ADA regulations regarding power driven mobility devices to all staff in all departments .

### 6. Surcharge and Costs

Title II requires that a public entity may not place a surcharge on people with disabilities to cover the costs of measures, such as the provision of auxiliary aids or program accessibility, that are required to provide non-discriminatory treatment.

The following question was asked to evaluate awareness of this requirement:

- 12) *Are employees and officials aware that the public entity may not place a surcharge on people with disabilities to cover the costs of measures, such as the provision of auxiliary aids or program accessibility, that are required to provide nondiscriminatory treatment?*

RCTC's departments are generally aware of this requirement, due to it being posted on board agendas, but RCTC's personnel policies and procedures manual does not specifically address this requirement. These requirements have not been formally communicated to all the departments.

The ADA Nondiscrimination Notice on the RCTC website states that, "Anyone who requires an auxiliary aid or translation service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of RCTC, should contact RCTC at (951) 787-7141. RCTC will take reasonable steps to ensure that all individuals have meaningful access to programs, services, and information free of charge. RCTC will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs."

It is recommended that:

- a) Staff in all departments be provided with the ADA Nondiscrimination Notice that is posted on the RCTC website. [https://www.rctc.org/wp-content/uploads/2018/05/RCTC-ADA\\_Section-504-Notice-and-Complaint-Procedure-c2\\_2018.05-w\\_BBK-Revisions-c2.pdf](https://www.rctc.org/wp-content/uploads/2018/05/RCTC-ADA_Section-504-Notice-and-Complaint-Procedure-c2_2018.05-w_BBK-Revisions-c2.pdf)

### 7. Ticketing (with seating)

A public entity that sells tickets for a single event or series of events is required to modify its policies, practices, or procedures to ensure that individuals with disabilities have an equal opportunity to purchase tickets for accessible seating.

The following questions were asked to evaluate awareness of this requirement:

- 13) *Are tickets for accessible seats sold during the same hours; through the same methods of purchase (by telephone, on site, through a website, or through third-party vendors); and during the same stages of sales (pre-sales, promotions, general sales, wait lists, or lotteries) as non-accessible seats?*
- 14) *If accessible seating is not available in areas of the venue with lower prices, is lower priced accessible seating available in higher priced locations?*
- 15) *Do venues and third-party sellers provide the same information about accessible seats as provided about non-accessible seats?*
- 16) *Can ticket sellers describe accessible seating in enough detail to permit the purchaser to determine if a seat meets his or her needs?*

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- 17) *Do ticket sellers know that people purchasing a ticket for a wheelchair space may purchase up to three additional seats for their companions as close as possible to the wheelchair space and that these companion seats may include wheelchair spaces?*
- 18) *Do ticket sellers know that unsold accessible seats may be released and sold to members of the general public in only one of three circumstances:*
  - *when all non-accessible seats have been sold (excluding luxury boxes, club boxes, suites, and seats the venue holds back when declaring a sell-out); or*
  - *when all non-accessible seats in a particular seating section have been sold; or*
  - *when all non-accessible seats in a particular price category have been sold?*
- 19) *If the venue permits patrons to give or sell their tickets to others, does the venue know that the same right must be extended to patrons with disabilities and that those tickets may be sold to someone who does not have a disability?*
- 20) *Do ticket sellers know that for single event tickets, venues may ask purchasers to state that they require, or are purchasing tickets for someone who requires, the features of an accessible seat?*
- 21) *Do ticket sellers know that for series of events tickets, purchasers may be asked to attest in writing that they require, or are purchasing tickets for someone who requires, the features of an accessible seat?*

Based on the responses received, it is evident that these questions do not apply to RCTC programs, services, and activities because RCTC does not directly sell tickets for any events. However, it is recommended that:

- a) RCTC consider reserving accessible seats in the front at future ribbon cutting and other public events held by RCTC.

### **8. Access to Public Meetings**

A public entity is required to make available to applicants, participants, beneficiaries, and other interested persons information regarding the services, programs, or activities of the public entity, and to ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities.

To ascertain that RCTC staff are aware of this requirement, the following questions were asked to evaluate awareness of this requirement:

- 22) *Is information about the public entity's accessible services, activities, and facilities available to the public and to current and future program participants?*
- 23) *Are all public meetings and events held in accessible and safe locations?*  
*Note: Are sites evaluated to include site arrival points, signage, meeting room(s), supporting restrooms, drinking fountains, public phones, registration counters, etc.?*
- 24) *Is there a notice on all public meeting announcements that auxiliary aids and services are made available as needed for participants with disabilities?*
- 25) *Is there a policy in place regarding maintenance of accessible features?*
- 26) *Who provides auxiliary aids and services to people seeking accommodation under Title II?*

Based on the review of responses, information about accessibility at public meetings is posted on the meeting agenda and there is a brochure on ADA policy which might be outdated. Most of RCTC's employees are aware of the requirement to provide accessible venues for public meetings but also defer to the Clerk of Board and consultants for provision of auxiliary aids and services. There does not seem to be a policy in place for maintenance of accessible features and some public meetings are held in venues maintained by others.

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It is recommended that:

- a) RCTC should ensure that staff and consultants responsible for setting off site meetings are aware that ADA requirements need to be complied with such as holding meetings and events on accessible routes, incorporating clear spaces, accessible room set-up and integrated seating. If events are to be coordinated and arranged by external consultants, the consultant's scope of work for the events should clearly include compliance with all ADA requirements.

### 9. Disability Awareness

Regardless of how they accomplish specific tasks, people with disabilities have the same right as any other person to participate in state and local government and to benefit from the programs and services these government agencies provide. A review of a public entity's written and audio-visual materials is required to be conducted to ensure that individuals with disabilities are not portrayed in an offensive or demeaning manner.

The following questions were asked to evaluate disability awareness among staff who have contact with the public:

- 27) *Are RCTC staff who have public contact trained or provided guidance regarding ADA requirements for full participation of individuals with disabilities including "disability" awareness, interactions with people with disabilities, disability civil rights laws, and disability etiquette?*
- 28) *By what means is training provided to RCTC Staff who have public contact regarding ADA requirements for full participation of individuals with disabilities including "disability" awareness, interactions with people with disabilities, disability civil rights laws, and disability etiquette?*

A review of RCTC's website at <https://www.rctc.org/about/> reveals that written and visual materials do not portray individuals with disabilities in an offensive manner. RCTC employees are generally aware and sensitive to disability issues of their own accord but they have not yet received formal training regarding disability awareness and first person contact.

It is recommended that:

- a) RCTC staff who interact with the public be trained in "disability" awareness, interactions with people with disabilities, disability civil rights laws, and disability etiquette. For example, a free, self-paced online course for discovering the best practices for effectively working and interacting with people who have disabilities is found at this link: <https://adata.org/project/your-service-welcoming-customers-disabilities-your-one-stop-center>.

### 10. Emergency Evacuation Procedures

To allow full participation of individuals with disabilities in its programs, activities, or services, a public entity should also have procedures to evacuate individuals with disabilities during an emergency. Public entities must also maintain in working order equipment and features of facilities that are required to provide ready access to individuals with disabilities. A public entity may impose legitimate safety requirements necessary for the safe operation of its services, programs, or activities. DOT's ADA regulation 49 CFR 37.161 requires maintenance and prompt repair of accessible features.

To evaluate compliance with maintenance and safety requirements, the following questions were asked:

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- 29) *Are maintenance staff and other staff trained to identify access and safety issues?*
- 30) *Is there a system or plan in place to identify safety and access issues that can be used by maintenance staff to report and correct problems? If yes, please attach the plan.*
- 31) *How is access monitored during planning and construction of RCTC projects?*
- 32) *Are any RCTC programs, services or facilities are operated from a registered historic site?*
- 33) *When purchase of new equipment (including but not limited to communication and transportation equipment) is made, how is it reviewed to ensure that equipment is accessible to people with disabilities?*
- 34) *Does RCTC have an emergency management plan that includes needs of people with disabilities? If yes, please attach the plan. The plan shall include procedures to evacuate individuals with disabilities during an emergency.*
- 35) *Has RCTC used the guidance published by the EEOC regarding lawful means of identifying employees who might need assistance during an emergency due to their disability?*
- 36) *Are visual and audible warning signals installed in RCTC facilities and buildings to notify all members of the public including individuals with disabilities?*
- 37) *Has emergency management staff in all facilities been trained regarding variety of events that might occur and impact people with disabilities?*
- 38) *Does RCTC use the US Department of Justice guidance regarding disaster management? This can be located at ADA.gov.*
- 39) *Is the RCTC ADA coordinator involved in the emergency plan creation, drills, and debriefings?*
- 40) *Please share all accessibility policies, procedures and guidelines, verbal or written that you have in place. Please attach a copy.*

Written emergency evacuation procedures for stations or other facilities were not available for review at the time of this evaluation. 'Evacuation Map' and 'Safety Team Listing - Evacuation Team Responsibilities' were provided for the 3rd floor of RCTC's Lemon Street office. There appears to be no universal written emergency management plan and the documents provided do not specifically include evacuation of individuals with disabilities during an emergency.

As RCTC does not operate any programs, services, or activities on historic properties, ADA requirements for access to, and emergency evacuation from, altered historic properties are not applicable.

It is recommended that:

- a) RCTC develop guidance and special procedures on assisting individuals with disabilities during emergencies and address emergency evacuation of individuals with disabilities covering a variety of emergency situations.
- b) RCTC use the guidance published by the Equal Employment Opportunity Commission (EEOC) regarding lawful means of identifying employees who might need assistance during an emergency due to their disability:  
<https://www.eeoc.gov/laws/guidance/obtaining-and-using-employee-medical-information-part-emergency-evacuation-procedures>.
- c) RCTC use DOJ guidance regarding disaster management:  
<https://www.ada.gov/emergencyprep.htm>.
- d) The RCTC ADA Coordinator be involved in the emergency plan creation, drills, and debriefings.

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- e) RCTC should update all accessibility policies, procedures, and guidelines to include recommendations made in this report.
- f) If other entities are contracted to provide emergency preparedness or emergency management services, RCTC should formalize in agreements with those organizations their commitment to compliance with the requirements of Title II of the ADA and information provided at this link:  
<https://www.ada.gov/pcatoolkit/chap7emergencymgmtadd1.htm>.
- g) RCTC provide comprehensive training to staff involved in emergency planning and preparedness, addressing effective communications, evacuating from a place of danger, sheltering, evacuating people to a place of safety and adaptive evacuation equipment (if or when used), and evacuation of service animals.

The Pacific ADA Center is a resource for webinars, tip sheets, and podcasts on emergency preparedness to help shed light on disability and ADA issues in emergency preparedness and management. National, regional, and local resources and publications related to disability and emergency preparedness are available at this link: <https://www.adapacific.org/emergency-preparedness-webinars>.

### 11. Employment Practices

ADA Title II regulations, Section 504 of the Rehabilitation Act, and the ADA regulation issued by the Equal Employment Opportunity Commission require that no qualified individual with a disability shall, on the basis of disability, be subjected to discrimination in employment under any service, program, or activity conducted by a public entity. For public entities at the state and local levels, Title II adopts the standards of Title I.

Public entities must ensure that their employment practices and policies do not discriminate on the basis of disability against qualified individuals with disabilities in every aspect of employment, including recruitment, hiring, promotion, demotion, layoff and return from layoff, compensation, job assignments, job classifications, paid or unpaid leave, fringe benefits, training, and employer-sponsored activities, including recreational or social programs.

The following questions related to employment practices were asked to evaluate RCTC's Human Resources policies:

- 41) *Do employment practices comply with all applicable nondiscrimination requirements, including Section 504 of the Rehabilitation Act and the ADA regulation issued by the Equal Employment Opportunity Commission?*
- 42) *Are the interview/selection panel members trained regarding disability awareness and interactions with people with disabilities?*
- 43) *Is reasonable accommodation offered, as needed for people with disabilities during interview/selection?*
- 44) *Who provides reasonable accommodations to applicants and employees under ADA Title I and II regulations and CA Government Code 12926? Please include Name, Position, Contact information.*
- 45) *Please share all accessibility policies, procedures and guidelines, verbal or written that you have in place. Please attach a copy.*
- 46) *Is there an anti-disability harassment policy? If yes, provide copy of the policy.*

Section 1.4.3 of the RCTC PPPM states that, "It is the policy of RCTC not to discriminate on the basis of disability for employment. It is the intent of RCTC to provide qualified disabled employees with a bias free work environment. RCTC will provide reasonable accommodation in

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compliance with the Americans with Disabilities Act (ADA) and the Fair Employment and Housing Act (FEHA). Reasonable effort will be made to provide an accessible work environment.”

This statement is posted on RCTC’s website, <https://www.rctc.org/employment/>, “It is the policy of RCTC to provide equal employment opportunity (EEO) to all persons regardless of age, color, national origin, citizenship status, physical or mental disability, race, religion, creed, gender, sexual orientation, gender identity and/or expression, marital status, status with regard to public assistance, veteran status, or any other characteristic protected by federal, state or local law. In addition, RCTC will provide reasonable accommodations for qualified individuals with disabilities.”

ADA Nondiscrimination Notice (Appendix E1) posted on RCTC’s website [https://www.rctc.org/wp-content/uploads/2018/05/RCTC-ADA\\_Section-504-Notice-and-Complaint-Procedure-c2\\_2018.05-w\\_BBK-Revisions-c2.pdf](https://www.rctc.org/wp-content/uploads/2018/05/RCTC-ADA_Section-504-Notice-and-Complaint-Procedure-c2_2018.05-w_BBK-Revisions-c2.pdf) states that, “RCTC does not discriminate in its hiring or employment practices and complies with all applicable laws and regulations, including but not limited to, Title VII of the Civil Rights Act, Title II of the ADA, and the California Fair Employment and Housing Act.”

Section 1.4.2.1 of the RCTC PPPM states that, “RCTC’s EEO policy applies to all areas of employment including recruitment, selection, promotion, termination, transfer, layoff, compensation, benefits, training, performance evaluations, and other personnel actions, procedures and examinations.”

Section 11.2 Harassment Free Environment policy of the RCTC PPPM includes a written response policy and action for anti-disability harassment.

Based on a review of these statements and responses received from the Human Resources Department, RCTC’s employment practices are not deemed discriminatory against people with disabilities. However, a legal review of postings prior to opening is not conducted. Job descriptions are from a template style format. Interview/selection panel members follow the RCTC Interviewing Guide which addresses disability but does not include details regarding disability awareness and interactions with people having disabilities.

It is recommended that:

- a) The RCTC Interviewing Guide be updated to include details regarding disability awareness and interactions with people having disabilities to assure that job applicants with disabilities are treated in a nondiscriminatory manner.
- b) Advertised position classifications and job application forms should be reviewed by RCTC HR director and / or RCTC legal counsel to determine if:
  - Positions are available to qualified persons with disabilities;
  - The announcement identifies the essential functions of the job to attract qualified people with disabilities to apply;
  - Information about job openings is accessible to people with different disabilities;
  - If only permissible questions are being asked on application forms (questions that identify the presence of a disability may not be asked);
  - Modifications and accommodations are required for position classifications to qualified persons with disabilities; and

Local certified vocational rehabilitation counselors in Riverside, CA (if needed) can be found at this link: <https://riverside.networkofcare.org/mh/services/subcategory.aspx?tax=ND-9000>.

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ADA Training on Title I—Employment can be requested from the Pacific ADA center at this link: [https://www.adapacific.org/request\\_pacific-ada-center-training](https://www.adapacific.org/request_pacific-ada-center-training). The training covers the following topics:

- Employment requirements overview
- Definition of disability
- Drafting job descriptions
- Interviewing people with disabilities
- Post-offer/Pre-employment dos and don'ts
- Disclosing a disability
- Reasonable accommodation: the process, examples, and “Undue Hardship”

### 12. Construction Policies

RCTC’s Model Contract - Request for Qualification - Consultant Contracts document (Appendix C1), Bid and Contract Documents – Construction Contracts (Appendix C2), and Bid and Contract Documents - Federal Projects (Appendix C3) were reviewed to evaluate RCTC’s construction policies. Specifically, Exhibit B, Section 18, Laws and Regulations in Appendix C1 states that, “Consultant shall keep itself fully informed of, and in compliance with, all local, state, and federal laws, rules and regulations in any manner affecting the performance of the Project or the Services, including all Cal/OSHA requirements, and shall give all notices required by law.”

Page 5 of the Notice for Qualification in Appendix C1 states that, “RCTC does not discriminate against, or provide preferential treatment to any individual or group on the basis of race, color, ethnicity, age over 40, religion, gender, national origin, ancestry, physical disability, disability including AIDS, mental condition, cancer-related medical condition, political affiliation, sexual orientation, or marital status in its contracting activities.”

Bidder Information Form in Appendix C2, page CBF 36, requires bidders to provide information regarding violation of laws and Executive Orders relating to employment discrimination.

Part G-2, Form FHWA-1273 of the “Federal Requirements for Federal Aid Contracts” in Appendix C3, includes the provisions of the ADA set forth under 28 CFR 35 and 29 CFR 1630 as a contract requirement. The form also requires the operating policy of the contractors to accept the statement, “It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age or disability. Such action shall include employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training.”

DOT ADA regulation 49 CFR 37.41 requires that, “A public entity shall construct any new facility to be used in providing designated public transportation services so that the facility is readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs.”

Per DOJ ADA standards, construction of each new facility or part of a facility, or the alteration of existing facilities after January 26, 1992, is required to conform to the standards designated under the Title II regulation. While it is recognized that the responsible licensed architect or engineer for any RCTC project assumes full responsibility for compliance with all accessibility and building

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code requirements, there is no mention in Appendix C1, RCTC's Model Contract language, about conducting accessibility inspections during construction. An evaluation of physical barriers in existing RCTC facilities identified compliance issues with respect to meeting the requirements of the ADA standards applicable at the time of construction/alterations in some locations. Attachments 6A through 6P identify these issues and Attachment 8 - Transition Plan identifies the solutions.

General nondiscrimination questions discussed earlier were sent to the staff liaisons responsible for construction of Capital Projects and responses were reviewed.

Based on a review of Appendices C1, C2, and C3 and the responses received to general nondiscrimination questions, it is recommended that:

- a) Accessibility construction inspections be conducted on all projects under construction by RCTC consultants. Progress inspections (on-site inspections of accessibility features and construction elements affecting accessibility compliance) help to verify that all elements will be able to meet the minimum accessibility requirements of the California Building Code at the time of final inspection.
- b) For guidance on conducting accessibility construction inspections, RCTC should recommend their consultants use the "Accessibility Construction Inspection Checklist" provided by the California Commission on Disability Access free of charge on their website at: <https://forms.dgs.ca.gov/content/forms/af/dgs/ccda/ccda-accessibility/public/ccda-accessibility-construction-inspection-checklist-2020-edition.html?>
- c) RCTC ensure that construction specifications include construction tolerances [to specify a dimension less than the required maximum (or more than the required minimum) by the amount of the expected field or manufacturing tolerance, and not to state any tolerance in conjunction with the specified dimension]. This will ensure that facilities and elements accomplish the level of accessibility intended by accessibility requirements.
- d) RCTC ensure that construction management consultant contracts include using local Certified Access Specialist (CASp) services within future construction projects to ensure that appropriate compliance is in place. A list of certified Access Specialists is found at this link: [https://www.apps2.dgs.ca.gov/DSA/casp/casp\\_certified\\_list.aspx](https://www.apps2.dgs.ca.gov/DSA/casp/casp_certified_list.aspx).

### 13. Staff Training and Support

Questions were asked to determine if employees of RCTC are familiar with the policies and practices for the full participation of individuals with disabilities. Based on the responses received to various questions related to staff training, it is recommended that:

- a) RCTC staff be provided general and program specific training on state and federal disability civil rights laws and disability awareness starting with the introductory ADA Basic Building Blocks course <https://www.adabasics.org/> to help increase knowledge and understanding of the basic principles and core concepts in the ADA and the ADA AAA.

ADA Training on various other topics can also be requested from the Pacific ADA center and Mid-Atlantic ADA center at these links:

[https://www.adapacific.org/request\\_pacific-ada-center-training](https://www.adapacific.org/request_pacific-ada-center-training)

<https://www.adainfo.org/training/serving-customers-disabilities>

#### 14. ADA Related Drug Use Policy

Title II requires that a public entity shall not discriminate on the basis of illegal use of drugs against an individual who is not engaging in current illegal use of drugs.

RCTC's PPPM addresses drug use policies and is attached as Appendix D (see pages 65-68). The PPPM does not specifically address ADA related drug use and does not mention nondiscrimination against people who formerly used drugs illegally. The following question was asked to ascertain nondiscrimination against former drug users as opposed to individuals who are currently engaged in illegal use of drugs:

*47) Does RCTC have a policy in place that prohibits discrimination against people who formerly used drugs illegally as opposed to individuals who are currently engaged in illegal use of drugs? If yes, provide copy of the policy.*

Based on the response received that "the policy does not clearly state nondiscrimination against people involved in former use of illegal drugs," it is recommended that:

- a) RCTC create a policy that prohibits discrimination against former users of drugs that complies with 28 CFR 35.131 (2) <https://www.ecfr.gov/current/title-28/chapter-I/part-35/subpart-B/section-35.131>.

#### 7.2.3. Effective Communication

Communicating successfully is an essential part of providing service to the public. The ADA requires public entities to take the steps necessary to communicate effectively with people who have disabilities. Many people who are blind or have low vision, who are deaf or hard of hearing, or who have other communication disabilities are prevented from participating fully in programs, activities, and services because of communication issues. To address this, Title II requires that communication with people with disabilities be "as effective" as communication with others. Often good communication practices will suffice, such as not turning away when speaking with a person who is hard of hearing or taking the time to listen to a person who has a speech impairment. Other times a public entity needs to provide "auxiliary aids and services" to ensure that communication is effective.

Attachment 3, Effective Communication Questionnaire, includes responses by the department of the Clerk of the Board which is primarily responsible for communication with the public.

The following questions were asked and the responses are included in Attachment 3:

- 1) *Auxiliary Aids and Services Does the public entity know how to provide the following for people who are deaf or hard of hearing*
  - a. *Sign language, oral, and cued speech interpreters*
  - b. *Video remote interpreting (VRI) services*
  - c. *Computer-assisted real-time transcription (CART) services*
  - d. *Assistive listening devices*
  - e. *Open and closed captioning of videos*
  - f. *Real time captioning of television programs*
  - g. *Other:*
- 2) *Does the public entity know how to provide documents in the following formats for people who are blind or visually impaired and others with print disabilities?*
  - a. *Braille*

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- b. large print*
  - c. Audio recordings*
  - d. Accessible electronic formats that that can be accessed by screen reading software, for example, documents in plain text or HTML*
  - e. Screen reader software installed on a computer that is used by the public, for example in a library*
  - f. Magnification software installed on a computer that is used by the public, for example in a computer lab*
  - g. Optical readers*
  - h. Other*
- 3) Does the public entity have a policy or procedure to handle requests for auxiliary aids and services?*
  - 4) Are employees and officials aware of the public entity's obligation to provide auxiliary aids and services?*
  - 5) Do employees and officials know how to arrange for auxiliary aids and services?  
Arrangements could be made directly or through the ADA coordinator or another staff person.*
  - 6) Does the public entity give primary consideration to the person with a disability when determining what type of auxiliary aid or service to provide?*
  - 7) Are employees and officials aware that it is inappropriate to request that family members and friends of people who are deaf serve as sign language interpreters, except in emergencies or if the individual wants the family member or friend to interpret and it's appropriate to do so?*
  - 8) Are employees and officials aware that a companion of a program participant has a right to auxiliary aids and services if the companion has a communication disability and is an appropriate person with whom the public entity should or would communicate?  
Example: A deaf family member of a hospital patient might need a sign language interpreter to communicate with the doctor.*
  - 9) Are captions and audio description provided on videos and television programs the public entity produces and videos on its website?*
  - 10) Does the public entity have a policy or procedure for determining if an auxiliary aid or service would be an undue financial and administrative burden?  
The decision of undue hardship must be made by the head of the public entity or his or her designee. There must be a written statement explaining the reasons for reaching that decision.*
  - 11) Do employees and officials know how to respond to telephone calls made through Video Relay Services and Telecommunication Relay Services so that the calls are responded to in the same manner as other telephone calls?*
  - 12) Where telephones are available to the public for making outgoing calls, such as in hospital waiting rooms, are TTYs available for people with hearing and speech disabilities?  
A TTY is an electronic device for text communication over a telephone line that is designed for use by people with hearing or speech disabilities.*
  - 13) Do telephone emergency services, including 911, provide direct access to people who use TTYs and computer modems?*
  - 14) Does RCTC list "711 the California Relay" on business cards and letter heads also?*
  - 15) Have local resources been identified which can provide auxiliary aids for communication, as needed, by people with disabilities.*
  - 16) If critical information is released to the press, is an American sign language interpreter visible and within the screenshot, if television cameras are in use?*

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17) *When announcements are distributed electronically, are they sent out in accessible PDF and Word documents simultaneously?*

ADA Nondiscrimination Notice (Appendix E1) posted on RCTC's website [https://www.rctc.org/wp-content/uploads/2018/05/RCTC-ADA\\_Section-504-Notice-and-Complaint-Procedure-c2\\_2018.05-w\\_BBK-Revisions-c2.pdf](https://www.rctc.org/wp-content/uploads/2018/05/RCTC-ADA_Section-504-Notice-and-Complaint-Procedure-c2_2018.05-w_BBK-Revisions-c2.pdf) states that, "RCTC will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in RCTC's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing or vision impairments."

The contact information on RCTC's website also includes instructions for transit riders with hearing or speech impairments to use the **California Relay Service**, 711, and the number after that.

Based on the responses received, it appears that staff may not be familiar with some auxiliary aids and services such as Video Remote Interpreting (VRI), computer-assisted real-time transcription (CART), and open captioning, implying that these may not become readily available to people who are deaf or hard of hearing. RCTC's documents are not available in Braille format due to unavailability of vendors providing the service and optical readers are not provided either.

Electronic announcements are sent by email to people who have signed up to receive the email blasts, but accessible PDF and Word documents are not sent out. RCTC is occasionally invited to participate in various news interviews, but they depend on the news cast company to provide sign language interpreters.

Policies and procedures state that auxiliary aids and services will be provided. However, there is no policy or procedure to determine if the requested auxiliary aid or service would be an undue financial and administrative burden. It is recommended that:

- a) As a reasonable accommodation, RCTC identify resources that can readily respond to requests for "auxiliary aids and services" to include but not be limited to:
  - qualified reader; a "qualified" reader is someone who is able to read effectively, accurately, and impartially, using any necessary specialized vocabulary;
  - print documents to be placed into alternate formats, such as braille, large print, or audio recording;
  - video/audio description production services;
  - qualified notetaker;
  - qualified interpreter; a "qualified" interpreter is someone who is able to interpret effectively, accurately, and impartially, both receptively (i.e., understanding what the person with the disability is saying) and expressively (i.e., having the skill needed to convey information back to that person) using any necessary specialized vocabulary;
  - VRI services is a video telecommunication service that uses devices such as web cameras or videophones to provide spoken language or sign language interpreting services;
  - real-time captioning (also known as CART) is a service similar to court reporting in which a transcriber types what is being said at a meeting or event into a computer that projects the words onto a screen; this service, which can be provided on-site or remotely, is particularly useful for people who are deaf or have hearing loss but do not use sign language;

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- printed scripts;
  - captioning production services; and
  - qualified speech-to-speech transliterator (a person trained to recognize unclear speech and repeat it clearly).
- b) RCTC prepare a procedure for determining if the requested auxiliary aid or service would be an undue financial and administrative burden and if so, what other action will be taken to ensure that individuals with disabilities will receive the benefits or services provided by RCTC. When choosing an aid or service, Title II entities are required to give primary consideration to the choice of aid or service requested by the person who has a communication disability. RCTC must honor the person's choice, unless it can demonstrate that another equally effective means of communication is available, or that the use of the means chosen would result in a fundamental alteration or in an undue burden. If the choice expressed by the person with a disability would result in an undue burden or a fundamental alteration, the public entity still has an obligation to provide an alternative aid or service that provides effective communication if one is available. RCTC should train employees so they know the policies and the appropriate procedures to follow when they receive a request for an interpreter.
- c) RCTC provide staff who have contact with the public, create publications, or correspond with members of the public comprehensive training on disability etiquette, effective communication, and pertinent Civil Rights mandates. ADA training on various topics can be requested from the Pacific ADA center at this link: [https://www.adapacific.org/request\\_pacific-ada-center-training](https://www.adapacific.org/request_pacific-ada-center-training). Many local disability organizations, including Centers for Independent Living, conduct ADA trainings in their communities. The DOJ's ADA Information Line can provide local contact information for these organizations <https://www.ada.gov/infoline.htm>.
- d) RCTC consider adding "711 the California Relay" on business cards and letter heads. Provide additional training to staff on the use of "711, California Relay" as to why this is one effective option for communicating with people who are deaf, hard of hearing, or have speech disabilities.
- Note: The free nationwide telecommunications relay service (TRS), reached by calling 7-1-1, uses communications assistants (also called CAs or relay operators) who serve as intermediaries between people who have hearing or speech disabilities who use a text telephone (TTY) or text messaging and people who use standard voice telephones. The communications assistant tells the telephone user what the other party is typing and types to tell the other party what the telephone user is saying. TRS also provides speech-to-speech transliteration for callers who have speech disabilities.
- e) RCTC examine voicemail systems and telephone information lines to ensure they are accessible for people who are deaf or hard of hearing.
- f) When RCTC announcements are distributed electronically, they should be sent out in accessible PDF and Word documents simultaneously.

It was also found that RCTC does not have written procedures in place for testing the communication instruments installed at the stations to ensure direct and equal access. Some of the phones connect directly to the Police/911/Sheriff while others connect to the Security Control Center at Riverside Downtown Station.

It is recommended that:

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- g) RCTC ensure that all instruments maintained by RCTC are regularly tested to determine whether TTY equipment functions properly and ensure that responding personnel have been adequately trained to handle TTY calls correctly. An internal testing program should be implemented.
- h) RCTC should:
  - Prepare a written description of equipment used for emergency communications and how that equipment handles TTY calls;
  - Prepare policies or procedures regarding how the emergency communications services handle silent, open line calls;
  - Prepare materials used in training emergency communications call takers about TTYs and the handling of TTY calls and information about the frequency of such training. Both primary and secondary public safety answering points have the same responsibilities under the ADA;
  - Prepare a policy regarding maintenance and back-up of TTY equipment and the policy regarding maintenance and back-up of equipment for handling standard voice telephone calls;
  - Prepare a policy regarding testing of TTY equipment and the handling of TTY calls and policy regarding testing of standard voice call-taking equipment and the handling of standard voice calls; TTY equipment must be maintained and tested as often as voice equipment to ensure that it is working properly;
  - Review and record the results of unannounced test calls made to emergency communications services telephone number with a TTY;
  - Record statistics for response time to standard voice calls as compared to TTY calls received by the service (if one cannot identify which emergency calls were TTY calls, use the response time for unannounced TTY test calls); and
  - Include, at a minimum, the date and time of each test call; the identification of the call taker and the call-taking position; whether each call was silent or transmitted tones; whether the caller received a TTY response and the content of the TTY response.
- i) Meet with hearing impaired individuals to find out their experiences in contacting 9-1-1 and emergency communications services.
- j) Train their call takers to effectively recognize and process TTY calls. Training should be mandatory for all personnel who may have contact with individuals from the public who have hearing or speech disabilities. RCTC should offer a refresher training at least as often as they require, but at a minimum, every six months.
- k) Stay informed about emerging communication technologies as well as the technical abilities of telecommunications equipment and service providers.
- l) Utilize information in the following link to determine if emergency communications service is providing effective communication as required by Title II of the ADA:  
<https://www.ada.gov/pca toolkit/chap4chklist.htm>.

### 7.2.4. Website Accessibility

Many people with disabilities use assistive technology such as screen readers, text enlargement software, and programs that enable people to control the computer with their voice, eyes, or nose. Access problems occur when website designers assume that everyone sees and accesses a webpage in the same way. Accessible website design recognizes these differences and does not require people to see, hear, or use a standard mouse to access the information and services

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provided. Attachment 4, Website Accessibility, includes questions and responses by RCTC personnel who are responsible for the policy for website accessibility. To evaluate the website accessibility, the following questions were asked:

- 1) *Is there a policy that the public entity's webpages will be accessible, that is, in compliance with the W3C Web Content Accessibility Guidelines (WCAG) 2.0 or Section 508 Standards?*
- 2) *Are the staff and contractors who are responsible for webpage and content development aware of the policy?*
- 3) *Are the staff and contractors who are responsible for webpage and content development knowledgeable about these standards?*
- 4) *Has the website been tested for compliance with either of these standards?*
- 5) *If yes, have people with disabilities who use screen reading software and other assistive technology participated in the evaluation?*
- 6) *Is there a plan for making the existing web content accessible?*
- 7) *Is there a plan for making future web content accessible?*

The DOJ considers websites to be an integral aspect of how Title II entities interact with their citizens and the public and therefore they need to be accessible. Until there are ADA Standards for accessible information technology, the Department recommends compliance with the W3C Web Content Accessibility Guidelines 2.0.

Based on the review of responses, RCTC does not currently have a policy requiring compliance with DOJ recommended guidelines. RCTC reviews/scans the website on a monthly basis to check for accessibility compliance but people with disabilities who use screen reading software and other assistive technology have not participated in the evaluation. Responses regarding plans for making existing and future web content accessible are inconclusive.

The WAVE website evaluation tool available at <https://wave.webaim.org> was used to evaluate RCTC's website <https://www.rctc.org/>. The tool identified errors, contrast errors, alerts, instances of missing alternative texts in images and linked images, missed or unordered heading lists, and errors with page functionality when using a keyboard.

RCTC's website states that RCTC is continually seeking to improve its website experience for visitors. RCTC is working to make its web content more accessible to users in general and to people with disabilities. The RCTC website is in process of making updates including accommodations for blindness and low vision, deafness and hearing loss, limited movement, speech disabilities, photosensitivity, and combinations of these, and some accommodation for learning disabilities and cognitive limitations.

It is recommended that:

- a) A website accessibility policy be created and distributed to the staff responsible for developing the website, requiring the web content to be accessible in compliance with ADA Title II and Section 508. The policy must ensure that content is not added to the website until it has been made accessible.
- b) RCTC instruct their web developer team to utilize the WAVE tool and remove the identified barriers to improve accessibility of its web content. Also, refer to the checklist available on <https://www.ada.gov/pcatoolkit/chap5chklist.htm> for conducting a preliminary assessment.
- c) RCTC engage users to check the accessibility features and/or hire an independent external web and internet access consultant team for evaluating the accessibility of the website, webpages, and assisting in the implementation of the access improvements

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which are needed for making the content accessible to people with disabilities. A list of website accessibility consultants is available from <https://wimgo.com/s/usa/accessibility-consultants/> and <https://www.dor.ca.gov/Home/Vendors>.

- d) The RCTC website development team also be provided comprehensive training on making website, webpages, and documents accessible to people with disabilities in compliance with the DOJ recommended standards.

The Great Plains ADA center is a resource that provides training on various topics, including website accessibility, which is available at this link: <https://gpadacenter.org/training-tailored-your-needs>.

WebAIM is another resource recommended by Great Plains ADA Center for website accessibility knowledge, consultation, and training, which is available at this link: <https://webaim.org/services/>.

### 7.2.5. Administrative Requirements

Title II requires that public entities undertake five administrative steps to promote implementation of the ADA. These are mentioned in Chapter 3, Section 3.1, and are also addressed in Attachment 5, Administrative Requirements.

- 1) Self-evaluation
- 2) Public Notice (found at [https://www.rctc.org/wp-content/uploads/2018/05/RCTC-ADA\\_Section-504-Notice-and-Complaint-Procedure-c2\\_2018.05-w\\_BBK-Revisions-c2.pdf](https://www.rctc.org/wp-content/uploads/2018/05/RCTC-ADA_Section-504-Notice-and-Complaint-Procedure-c2_2018.05-w_BBK-Revisions-c2.pdf))
- 3) Grievance Procedures (found at [https://www.rctc.org/wp-content/uploads/2022/06/ada-grievance-procedure.original\\_REV.2022.06.pdf](https://www.rctc.org/wp-content/uploads/2022/06/ada-grievance-procedure.original_REV.2022.06.pdf))
- 4) ADA Coordinator:

Aaron Hake, Deputy Executive Director, Phone: (951) 787-7141

Address: 4080 Lemon Street, Third Floor, P. O. Box 12008, Riverside, CA 92502-2208

- 5) Transition Plan to address barriers in facilities

To assess compliance with five key administrative requirements of Title II, the following questions were asked:

- 1) *Has a self-evaluation been conducted?*
- 2) *Is public notice that the public entity does not discriminate on the basis of disability provided in print and audio formats?*
- 3) *Has a grievance procedure been adopted to resolve disability-related complaints? (Required if 50 or more employees.)*
- 4) *Has at least one employee been appointed to coordinate the public entity's ADA obligations - ADA Coordinator? (Required if 50 or more employees.)*
- 5) *Has a transition plan been developed to address barriers in facilities that affect equal participation of people with disabilities in the public entity's programs, activities, and services? (Required if 50 or more employees.)*

RCTC has completed all five requirements through the issuance of this report. The Public ADA Notice of compliance is posted on the website in print format but is not available in audio. It is recommended that:

- a) The Nondiscrimination Statement (Appendix E1) be disseminated to all staff on an annual basis.

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- b) RCTC provide the Nondiscrimination Statement in print and audio format on the RCTC website, social media such as Twitter and Facebook, print notices at facilities, and in local newspapers, program announcements, and when making public service announcements on local radio and television stations.

### 7.2.6. Facilities Assessment

As described in Chapter 5, the checklists in the following attachments were used for assessing the ADA compliance of RCTC's facilities:

- Attachment 6X, ADA Checklists for Permanent Pedestrian Circulation Paths
- Attachment 6Y, ADA Checklists for Building Elements

Results of the evaluation are detailed in Attachments 6A through 6P.

### 7.2.7. Program Accessibility

Program Accessibility allows recipients to make their federally assisted programs and activities available to individuals with disabilities without extensive retrofitting of their existing buildings and facilities by offering those programs through alternative methods since the cost of retrofitting existing facilities is often prohibitive. Facilities built before January 26, 1992, are referred to as "pre-ADA" facilities. If there is an architectural barrier to accessibility in a pre-ADA facility, one may remove the barrier using the ADA Standards for Accessible Design or UFAS as a guide, or one may choose to make the program, service, or activity located in the building accessible by providing "program access."

RCTC facilities and stations are not "pre-ADA." For RCTC's stations used by the public, structural solutions are required to remove any physical barriers. These are listed in Attachments 6A through 6I and work will be prioritized as shown in Section 7.3.8.

For RCTC employee facilities, some structural solutions are required to remove the identified physical barriers. These are listed in Attachments 6J through 6P and work will be prioritized as shown in Section 7.3.8.

Nonstructural solutions to identified physical barriers are listed in Attachment 7, Program Accessibility, and also detailed in Attachment 9, Action Plan.

### 7.2.8. Transition Plan (Structural Solutions)

The Transition Plan (Attachment 8) includes the following:

- a) Identification of physical barriers to access in each of RCTC's buildings and facilities as described in Attachments 6A through 6P.
- b) Description in detail of the methods that will be used to make the facilities accessible by removing the physical barriers.
- c) Schedule for taking the steps necessary to achieve compliance with ADA requirements. Since the time period of the transition plan is expected to be longer than one year, the steps have been distributed over each year of the transition period for each facility.

RCTC has set a series of progress dates for curb ramp compliance in each facility based on priorities and reasonable time frames. The actual number of curb ramps installed in any given year may be limited by fiscal constraints.

A schedule for modification of other elements to provide access, in descending order of priority, as explained below, is also included in the transition plan.

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Accessible elements which will provide the greatest access are given priority in the following order:

Priority 1: Approach and Entrance (accessible routes from site entry points to an accessible entrance)

- Curb ramps
- Pedestrian road crossings
- Sidewalks, including those from bus stops and parking areas
- Bus stops
- Entry/exit doors in RCTC employee facilities

Priority 2: Accessible routes to critical program function areas

- Walking surfaces, including pedestrian bridge and platforms
- Elevators
- Ramps including mini high platform ramps
- Stairs
- Pedestrian rail crossings
- Assembly and common public areas (waiting shelters and TVMs)
- Meeting/conference rooms in RCTC employee facilities

Priority 3: Access to areas that support program functions

- Telephones
- Drinking fountains
- Trash cans
- Benches
- Parking
- Storage
- Alarms
- Restrooms and breakrooms open to the public in RCTC employee facilities

Priority 4: Access to “Staff Only” areas not expected to be accessed by the public

- Employee work areas and employee common use areas
- Trash dumpster enclosures at stations
- Staff toilets

The priority order generally follows the order defined in Title II and 28CFR 35.151(b) 4 (iv). However, importance of the program function, frequency of use, program location, and its relation to other programmatic functions are used as criteria to prioritize modification of any chosen element in a facility over another.

**28 CFR § 35.151 (b) (4) (iv)**

*In choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access, in the following order -*

- (1) An accessible entrance;*
- (2) An accessible route to the altered area;*
- (3) At least one accessible restroom for each sex or a single unisex restroom;*
- (4) Accessible telephones;*
- (5) Accessible drinking fountains; and*
- (6) When possible, additional accessible elements such as parking, storage, and alarms.*

**7.2.9. Action Plan (Non-Structural Solutions)**

Nonstructural solutions, such as written procedures for providing access to programs in inaccessible facilities, are included in Attachment 9, Action Plan. The Action Plan includes a list of issues, findings, solutions, and recommendations identified (see Attachments 2, 3, 4, 5, and 7). Dates for implementing the solutions and recommendations are also included. The ADA Coordinator is responsible for fulfilling RCTC's ADA obligations. RCTC's ADA Coordinator, Aaron Hake, is the responsible official for implementation of the ADA Transition Plan and ADA Action Plan.

## 8 Conclusion

This report and its attachments conclude the self-evaluation of RCTC's services, programs, policies, and practices as required by ADA Title II part 28 CFR §35.105.

To identify all RCTC's programs, services, and activities, staff liaisons from the departments listed in Attachment 1, Departments and Programs, were contacted to provide information. RCTC's Personnel Policies and Procedures Manual (Appendix D) and model contract documents (Appendices C1, C2, and C3) were provided to the self-evaluation team for review. RCTC also provided information that complies with the administrative requirements of the ADA Title II part 28 CFR §35.106 and part 28 CFR §35.107 and includes a Notice of Compliance and a Grievance Procedure (Appendices E1 and E2) which are posted to their website.

To determine whether RCTC employees and officials are familiar with RCTC's ADA obligations, questionnaires were distributed to staff from all RCTC departments listed in Attachment 1. The questionnaires sought to assess RCTC's familiarity with ADA Title II regulations related to general nondiscrimination, effective communication, website accessibility, and administrative requirements with respect to RCTC's aim of assuring equal access to its programs, services, and activities for persons having disabilities. An examination of RCTC's policies, procedures, programs, website, responses to questionnaires, and a review of model contract documents has identified some programmatic barriers that may limit accessibility by persons having disabilities. Results of the examination, findings, and potential compliance solutions are also presented in:

Attachment 2 - General Nondiscrimination

Attachment 3 - Effective Communication

Attachment 4 - Website Accessibility

Attachment 5 - Administrative Requirements

To determine whether there are physical barriers to access RCTC's programs, 16 facilities (seven buildings/office spaces and nine rail stations) under RCTC's authority were surveyed for accessibility issues. Physical barriers that may limit accessibility by persons with disabilities were identified during the accessibility surveys. Attachments 6A through 6P documents these problems and provides potential solutions. Attachments 6X and 6Y are the checklist forms that were used to assess the facilities. The checklists are based on the various applicable ADA standards - DOJ 2010 ADA Standards, DOT ADA Standards (2006), 1991 Standards (when applicable), Caltrans' "Permanent Pedestrian Facilities ADA Compliance Handbook," and DIB 82-06.

Attachment 7, Program Accessibility, provides references to structural and nonstructural solutions to demonstrate that RCTC's services, programs, or activities, when "viewed in their entirety," will be accessible.

Attachment 8, Transition Plan, is required by ADA Title II part 28 CFR §35.150 (d). The transition plan was developed from the self-evaluation and facilities accessibility surveys to assure equal opportunity and program accessibility.

Finally, Attachment 9, Action Plan, lists a plan for actions that focus on non-structural changes. Assessing and improving website accessibility, policies that need to change to provide reasonable accommodations, updated emergency evacuation procedures, need for comprehensive staff training, improved techniques for effective communication, and specific

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updates to nondiscrimination policies are the nonstructural solutions identified to achieving barrier free services, policies, and practices.

Members of RCTC's self-evaluation team included staff and consultants with expertise in finance, budgeting, capital planning, facilities management, employment, contracts, purchasing, communications, public works, and accessibility.

ADA regulation part 28 CFR §35.105 requires that public entities provide an opportunity for people with disabilities and other interested individuals or organizations to review and comment on the self-evaluation and transition plan. A draft of this report and its attachments was made available for public inspection by RCTC. We received one email from Richard Smith, CEO of the Independent Living Partnership. The email confirmed receipt of the notice and it included a link to their news release on a study "Transportation Bill of Rights Issued for Persons with Disabilities." No comments were provided on RCTC's ADA Self-Assessment and Transition Plan and a final version of this report is being issued. Entities that employ 50 or more persons are required to maintain the self-evaluation on file and make it available for public inspection for three years. The report will be available for public inspection for three years.

RCTC also recognizes that the ADA Transition Plan is intended to be a living document which will be updated to include future operations and activities affecting compliance with ADA requirements that are not covered in this report.

RCTC's ADA Coordinator, Aaron Hake, is responsible to ensure that RCTC will proceed with making the necessary nonstructural modifications in accordance with the target dates indicated in the Action Plan. Structural modifications indicated in the Transition Plan depend on fiscal constraints, but accessible elements which will provide the greatest access will be given priority with respect to importance of the program function, frequency of use, program location, and its relation to other programmatic functions.

Requests for copies of the ADA Transition Plan and public comments should be directed to RCTC's ADA Coordinator, Aaron Hake.

# Attachment 1 - Departments and Programs

## **Attachment 2 – General Nondiscrimination**

## **Attachment 3 – Effective Communication**

## **Attachment 4 – Website Accessibility**

## **Attachment 5 – Administrative Requirements**

## **Attachments 6A through 6P – Evaluation of Physical Barriers in RCTC’s Facilities**

Attachment 6A:	Evaluation of Physical Barriers in West Corona Station
Attachment 6B:	Evaluation of Physical Barriers in North Main Corona Station
Attachment 6C:	Evaluation of Physical Barriers in La Sierra Station
Attachment 6D:	Evaluation of Physical Barriers in Riverside Downtown Station
Attachment 6E:	Evaluation of Physical Barriers in Pedley Station
Attachment 6F:	Evaluation of Physical Barriers in Downtown Perris Station
Attachment 6G:	Evaluation of Physical Barriers in Hunter Park Station
Attachment 6H:	Evaluation of Physical Barriers in Moreno Valley - March Field Station
Attachment 6I:	Evaluation of Physical Barriers in South Perris Station
Attachment 6J:	Evaluation of Physical Barriers in RCTC Office
Attachment 6K:	Evaluation of Physical Barriers in RCA Office
Attachment 6L:	Evaluation of Physical Barriers in ROC
Attachment 6M:	Evaluation of Physical Barriers in CSC
Attachment 6N:	Evaluation of Physical Barriers in FAM
Attachment 6O:	Evaluation of Physical Barriers in TUB-1
Attachment 6P:	Evaluation of Physical Barriers in TUB-2

Note: Attachments 6X and 6Y are copies of tools that were used by the team for conducting the field surveys, and findings are detailed in the report. Attachments 6X and 6Y are not included.

## **Attachment 7 – Program Accessibility**

## **Attachment 8 – Transition Plan**

## **Attachment 9 – Action Plan**

## Appendix A– 28 CFR §35

NOTE: Documents that were reviewed and utilized to prepare the ADA Self-evaluation report are included as appendices and findings are summarized within the report. Pdfs appended to the report have not been updated for pdf accessibility compliance as the referenced documents are available on external websites with links provided within the report.

## **Appendix B: Requirements to Remember for ADA Compliance in Construction Projects**

NOTE: Documents that were reviewed and utilized to prepare the ADA Self-evaluation report are included as appendices and findings are summarized within the report. Pdfs appended to the report have not been updated for pdf accessibility compliance as the referenced documents are available on external websites with links provided within the report.

## **Appendix C1: Model Contract – Request for Qualification – Consultant Contracts**

## **Appendix C2: Bid and Contract Documents – Construction Contracts**

## **Appendix C3: Bid and Contract Documents - Federal Projects.**

NOTE: Documents that were reviewed and utilized to prepare the ADA Self-evaluation report are included as appendices and findings are summarized within the report. Pdfs of model contract documents appended to the report as received have not been updated for pdf accessibility compliance.

## **Appendix D: RCTC's Personnel Policies and Procedures Manual.**

NOTE: Documents that were reviewed and utilized to prepare the ADA Self-evaluation report are included as appendices and findings are summarized within the report. Pdfs of internal documents appended as received to the report have not been updated for pdf accessibility compliance.

## **Appendix E1: RCTC's ADA Notice of Compliance**

## **Appendix E2: RCTC's Grievance Procedure**

NOTE: Documents that were reviewed and utilized to prepare the ADA Self-evaluation report are included as appendices and findings are summarized within the report. Pdfs appended to the report have not been updated for pdf accessibility compliance as the referenced documents are available on the RCTC website with links provided within the report.

## **Appendix F: Van Pool Supporting Documents**

NOTE: Documents that were reviewed and utilized to prepare the ADA Self-evaluation report are included as appendices and findings are summarized within the report. Pdfs of internal documents appended to the report as received have not been updated for pdf accessibility compliance.

## Appendix G: References and Regulations

NOTE: Documents that were reviewed and utilized to prepare the ADA Self-evaluation report are included as appendices and findings are summarized within the report. Pdfs appended to the report have not been updated for accessibility as the referenced documents are available on external websites with links provided within the report.

## **Appendix H: Notification Letters**

## **Appendix J: Public Review Comment**