

# **Transportation Consumer Rights Guide**

This advocacy guide is to assist and inform persons with disabilities, their family members, and other persons and organizations interested in using New Jersey's public transportation system.

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United Spinal Association  
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Disability Rights New Jersey (DRNJ), the State's federally funded designated protection and advocacy system for people with disabilities, is a statewide non-profit organization that advocates and advances the human, civil and legal rights of person with disabilities. DRNJ's mission includes the empowerment of people with disabilities through information to assist them in self-advocacy.

## **Disability Rights New Jersey**

(800) 922-7233 (New Jersey only)

(609) 292-9742

(609) 633-7106 (TTY); Dial "711" for Relay

210 S. Broad Street, 3<sup>rd</sup> Floor

Trenton, New Jersey 08608

[www.drnj.org](http://www.drnj.org)

- Se Habla Español

United Spinal Association is a nonprofit, national veteran's service and disability rights organization founded in 1946. The Association is dedicated to enhancing the lives of individuals with spinal cord injury or disease by assuring quality health care, promoting research, advocating for civil rights and independence, educating the public about these issues and enlisting its help to achieve these fundamental goals.

United Spinal has been a leading organization in advocating for accessible transportation nationwide through its work on the transportation provisions of the Americans with Disabilities Act.

## **United Spinal Association**

718-803-3782

718-803-0414 (fax)

75-20 Astoria Boulevard

Jackson Heights, New York 11370-1177

[www.unitedspinal.org](http://www.unitedspinal.org)



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# **I. Introduction**

The following Transportation Rights Handbook was designed to provide useful information about New Jersey Public Transportation to people with disabilities. Disability Rights New Jersey and United Spinal Association used feedback collected from two on-line surveys to ensure relevant information was included. Advocacy organizations consistently hear that transportation is often a barrier to individuals with disabilities living in the community. This guide will provide you with some information regarding your rights to transportation services and what services are available to assist you in using public transportation.

The American with Disabilities Act of 1990 (ADA) requires new and existing transportation services to be accessible to people with disabilities and ensures that people with disabilities are not excluded or discriminated against in the use of public transportation. It also establishes a paratransit system that is comparable to the available local fixed-route public transportation services for individuals who are unable to use the public transportation system. The ADA, however, does not require that gaps in the transportation system be filled. Therefore, the ADA may not be able to address the lack of transportation available to some individuals within the State. New Jersey Transit is subject to regulations both from the U.S. Department of Transportation and the U.S. Department of Justice. Therefore, the public transportation system must ensure that it does not discriminate against individuals with disabilities.

You may obtain information regarding timetables and fares for all New Jersey Transit services by calling New Jersey Transit at (800) 772-2222 or (800) 772-2287 (TTY) or going to the website [www.njtransit.com](http://www.njtransit.com) and clicking on schedules and fares.

## **II. New Jersey Transit Rail Service**

New Jersey Transit presently operates two light rail systems in the northern New Jersey area – the Hudson-Bergen Light Rail and the Newark City Subway. It also operates the River Line in the southern part of the state.

As of February 2006, sixty-seven of the one hundred and sixty-two commuter rail stations served by NJ TRANSIT are accessible to individuals with disabilities.

An updated list of accessible commuter rail and light rail stations is available at [www.njtransit.com](http://www.njtransit.com) or by contacting NJ TRANSIT at (800) 772-2222 or (800) 772-2287 (TTY).

### **Rights**

- The ADA requires that all new stations and key stations for subway, light rail and commuter rail be accessible for individuals with disabilities. Key stations include transfer stations, major interchange points, end stations, stations serving major activity centers and stations with heavy traffic volume.
- Elevators to accessible stations must be maintained and operational. Information regarding elevator or accessibility outages must be communicated in a widely accessible manner.
- Wide gaps between the rail car and the platform are not permissible.
- The ADA requires platform access in new commuter rail stations unless it is structurally or operationally infeasible.

### **III. New Jersey Bus Service**

NJ TRANSIT provides lift-equipped buses, which are marked with the international symbol of accessibility. Ninety-nine percent of NJ TRANSIT's local bus routes have a lift-equipped bus on every trip. Commuter bus routes are also accessible. However, because of limited accessibility at the Port Authority and George Washington Bridge Bus Terminals, reservations are requested on bus routes into or out of these facilities. To make a reservation, call the Transit Information Center (TIC) at (800) 772-2222.

#### **Rights**

- You have the right to be picked up at the bus stop (unless the lift cannot be deployed, the lift will be damaged if it is deployed, or temporary conditions at the stop, not under the control of NJT, preclude the safe use of the stop by all passengers).
- You have the right to request the driver to use the lift. If the bus is lift-equipped, the driver must know how to operate the lift. If the driver refuses to operate the lift or does not know how to operate it, you may file a complaint with New Jersey Transit. Additional information regarding complaints is included later in this handbook.
- The driver cannot charge you more than the regular fare.
- If your mobility device exceeds the ADA definition of a standard wheelchair (30" x 48") and does not fit on the vehicle's wheelchair lift, you will not be able to be transported using this mobility device. The

ADA does not cover mobility devices that exceed the ADA definition of a standard wheelchair.

## **IV. Access Link Service**

Access Link is the ADA paratransit service that provides curb to curb service for people with disabilities who cannot use the local fixed route bus or light rail systems. NJ TRANSIT must certify you to be eligible for Access Link via an in-person transportation assessment. The ADA requires that the paratransit service be comparable to the NJ TRANSIT local bus network. Transportation is provided during the same hours and days and at the same fares as the local bus network. Service is provided to those within  $\frac{3}{4}$  of a mile of a local bus stop.

To receive information about all of NJ TRANSIT's accessible services call (800) 955-2321 or (800) 955-6765 (TTY) between the hours of 8:30 a.m. to 5:00 p.m. Monday through Friday and choose the "not a Certified Access Link Passenger" option to speak to a Certification Clerk Assistant. You may request that a general information packet be mailed to your home. You can request an audio-taped version of the general information packet or arrange for an appointment to attend a Transportation Assessment.

The Transportation Assessment is conducted during an in person interview. NJ TRANSIT can provide transportation to and from the Transportation Assessment upon request for a fee. The information gathered during the Transportation Assessment will be used to determine if you are eligible for the ADA Paratransit service Access Link.

## **Rights**

- The right to safe, reliable ADA paratransit service in clean vehicles.
- The right to know your eligibility status within 21 days of NJ TRANSIT's receipt of a complete Transportation Assessment, which includes a medical verification.
- The right to be picked up within the scheduling window.
- The right to comparable service of that provided by local fixed-route services.
- The right to request a standing order from Access Link. Standing Orders are trips that a passenger calls in to reserve once. This trip must be to and from the same place, at the same time on the same day(s) of the week.
- The right to request an appeal of your ADA Paratransit Eligibility determination within 60 days of receiving a decision letter from NJ TRANSIT.

## **Responsibilities**

- Your ride time should be comparable in length to the ride time on the local fixed route bus. Your Access Link ride time should not exceed 1 ½ times that of the local bus.
- You are responsible for reserving your ride 1 to 14 days in advance of the day you would like to travel.

You need to have the following information: name, customer id #, pick up and drop off address, cross street, location of entrance, phone number, pick up time, any companions you are traveling with, and if you or they will be utilizing any mobility device.

- You are responsible for ensuring that you consider the following when reserving your pick up time: the need to get ready, take medications, or extra time needed for boarding/disembarking the Access Link vehicle. Remember to account for any delays you might encounter on your trips, such as traffic, unexpected road delays, shared riding, etc. Portable medical equipment (i.e., portable oxygen, etc.) is allowed on vehicles.
- You are responsible for informing the Access Link Reservationist if you will be carrying medical equipment.
- You are responsible for getting to and from the curb when the vehicle arrives and reached your destination.
- You have five minutes to meet the vehicle from the time the Access Link vehicle arrives. If you are not available to be at the vehicle within five minutes, the Access Link driver can leave and report you as a no-show.
- If your mobility device exceeds the ADA definition of a standard (30" x 48") wheelchair and does not fit onto the Access Link vehicle's wheelchair lift, you will not be able to be transported using this mobility device. If your mobility device obstructs the aisle

space causing an unsafe environment for other passengers, you will not be transported in that mobility device.

- You or your companion must be able to carry any items on and off the vehicle. Repetitive trips to load packages are not permitted.
- You are responsible for having exact fare. Round trip fares can not be prepaid at this time.
- You are required to wear a seatbelt on Access Link vehicles.

## **V. County-Based Paratransit Service**

Each of the twenty-one counties in New Jersey provides community-based transportation services to meet the various needs of people with disabilities. These services vary from county to county and service does not cross county lines. You can go to the following website to obtain additional information regarding county and municipality transportation programs: [www.njcost.com](http://www.njcost.com) or contact New Jersey Transit at (800) 772-2222 or (800) 772-2287 (TTY) to obtain the telephone number for your county paratransit service.

## **VI. Travel Instruction**

Travel instruction allows individuals with disabilities to learn the skills required to use the fixed-route transit services safely and independently. Travel instruction includes learning the available transit options, individualized instruction in the use of transit services, and the use of accessibility features. This intense training can

assist in moving individuals with disabilities from the paratransit system to the fixed-route system for some or all trips.

Travel instruction is customized strategies that address the specific needs of an individual with disabilities. The flexibility gained from being able to use the public transportation system allows individuals with disabilities to participate more fully in their community and allows for seeking of more productive employment.

The following is a list of agencies available to provide travel training:

- New Jersey Travel Independence Program (NJTIP) offers formalized travel instruction for people with disabilities. For more information, contact NJTIP at (848) 932-4499 or [njtip\\_info@njtip.rutgers.edu](mailto:njtip_info@njtip.rutgers.edu)
- For individuals who are blind or visually impaired, they may contact the Commission for the Blind and Visually Impaired to inquire about travel training provided through orientation and mobility training. CBVI may be contacted at (973) 648-3333.
- For individuals with developmental disabilities who are clients of the Division of Developmental Disabilities, they may contact their DDD case managers to inquire about the availability of travel training.
- Students with disabilities who are eligible for special education services may discuss the need for travel training when developing the transition portion of their individualized education programs.

## VII. Reduced Fare Program

The reduced fare program is available to people with disabilities and allows personal assistants to ride for free with appropriate identification on trains, buses and light rail vehicles. To apply, an individual must complete the four-page application form available on [njtransit.com](http://njtransit.com) or by calling New Jersey Transit Reduced Fare Office at (973) 378-6401.

## VIII. Filing a Complaint/Compliment

### Complaints

To file a complaint directly to NJ TRANSIT by telephone, use the following telephone numbers:

#### Access Link Customer Service:

(800) 955-2321 or (800) 955-6765 (TTY) or send an email to [adaservices@njtransit.com](mailto:adaservices@njtransit.com) - If you're calling from a rotary phone or are unable to select an option, stay on the line for assistance.

#### NJ TRANSIT Accessible Bus and Train Information

New Jersey TRANSIT (800) 772-2222

Text Telephone (TTY) (800) 772-2287

To file a complaint online, go to <http://www.njtransit.com> and click on the **contact us** link, or type in the following address:

[http://www.njtransit.com/tm/tm\\_servlet.srv?hdnPageAction=ContactUsTo](http://www.njtransit.com/tm/tm_servlet.srv?hdnPageAction=ContactUsTo)

To file a complaint to NJ TRANSIT Americans with Disabilities Act (ADA) by phone, use the following phone number.

**NJ TRANSIT ADA Services**

8:30 a.m. - 5:00 p.m. Monday - Friday  
(973) 491-7385

**Compliments**

If you have a good experience using public transportation, compliment the driver or transit employee(s) who served you. A simple compliment may go a long way toward reinforcing good service for people with disabilities. You may also file a compliment on the New Jersey Transit website at <http://www.njtransit.com> and click on the **contact us** link, or type in the following address:

**[http://www.njtransit.com/tm/tm\\_servlet.srv?hdnPageAction=ContactUsTo](http://www.njtransit.com/tm/tm_servlet.srv?hdnPageAction=ContactUsTo)**

**Access Link Customer Service:**

(800) 955-2321  
[adaservices@njtransit.com](mailto:adaservices@njtransit.com)

# **IX. Advocacy Organizations**

## **Contact Information**

### **Disability Rights New Jersey**

210 South Broad Street, 3rd Floor

Trenton, New Jersey 08608

(609) 292-9742

(800) 922-7233 in NJ Only

(609) 777-0187 (Fax)

(609) 633-7106 (TTY)

advocate@drnj.org

www.drnj.org

### **United Spinal Association**

75-20 Astoria Boulevard

Jackson Heights, New York 11370

718-803-3782

718-803-0414 (Fax)

www.unitedspinal.org

### **New Jersey Council on Developmental Disabilities**

P.O. Box 700

Trenton, New Jersey 08625-0700

(609) 292-3745

(609) 777-3238 (TDD)

(609) 292-7114 (Fax)

njddc@njddc.org

www.njddc.org

**The Arc of New Jersey**

985 Livingston Avenue

North Brunswick, New Jersey 08902

(732) 246-2525

(732) 214-1834 (Fax)

[www.arcnj.org](http://www.arcnj.org)

**New Jersey Statewide Independent Living Council**

c/o MOCEANS CIL

279 Broadway, 2<sup>nd</sup> Floor

Long Branch, New Jersey 07740

(732) 571-4884

(732) 571-4878 (TTY)

<http://www.njsilc.org/>