



## **Reasonable Modification Procedures**

The US DOT issued a Final Rule under the American Disability Act (ADA) and Section 504 of the Rehabilitation Act of 1973 which took effect on July 13, 2015, and can be found at <https://www.fhwa.dot.gov/civilrights/programs/ada/>. Per this final rule, Bayway is required to make reasonable modifications or modifications to our policies and practices to ensure individuals with disabilities have equal access to Bayway's transit programs and services. Bayway will consider requests for reasonable modifications so individuals with disabilities can have equal access to our transit services as follows:

1. Modification Requests Submittals:

An individual requesting a modification will describe what they need in order to use Bayway's transit service. Individuals should state their impending trip date within their request, if possible. Bayway can take up to 15 calendar days to process a Reasonable Modification request. Requests can be made by:

- Access the form online: Complete and submit the Reasonable Modification Request Form
- Mail: Complete the Reasonable Modification Request Form, print it and mail to:

**Bayway  
920 Wilson Avenue  
Panama City, FL 32401**

- Fax: Complete the Reasonable Modification Request Form, print it and fax to 850-215-0295
- Pick up a form: Bayway Operations and Maintenance Facility, 920 Wilson Avenue, Panama City, FL 32401
- Email: [info@BaywayTransit.org](mailto:info@BaywayTransit.org)

2. Designated Responsible Employees:

Bayway Administrative Staff are the responsible for approving/denying pending reasonable modification requests.

3. Use of Term Reasonable Modification Not Required:

The individual requesting modification is not required to use the term "reasonable modification" when making a request.

4. Requests In Advance:

Whenever feasible, requests for modifications should be made and determined in advance, before Bayway is expected to provide the modified service. Individuals should state their impending trip date within their request. Depending on the complexity of the request and if any financial assistance is needed to grant the request, additional Bayway Staff could also be involved in providing more information for any modification approval/denial determinations.

5. Requests during Transit Trip:

Where a request for modification cannot practicably be made and determined in advance, operating personnel will make a determination of whether the modification should be provided at the time of the request. If necessary, drivers will consult with Bayway's Management Staff before making a determination to deny the request. Any denials for modifications that cannot be granted will be documented by the driver and forwarded to Bayway Management Staff.

6. Reasonable Modification Approvals:

Any approved modification for a passenger with a disability will be noted on the driver instructions (schedule/manifest). It can take up to 15 calendar days for Bayway to process Reasonable Modifications.

7. Grounds for Denial:

Requests for modifications of policies and practices may be denied on one or more of the following grounds:

- Granting the request would fundamentally alter the nature of Bayway's transit service, programs, or activities;
- Granting the request would create a direct threat to the health or safety of others;
- Without the requested modification, the individual with a disability is able to fully use Bayway's services, programs, or activities for their intended purpose;
- Results in an undue financial and administrative burden.

8. Other Actions Prior to Official Denial:

Any denials of formal requests prior to the trip would be confirmed with Bayway Management Staff to ensure no other modifications could be made to allow the individual to receive transit service. In any case in which Bayway denies a request for a reasonable modification as requested by the passenger, Bayway will take, to the maximum extent possible, any other actions (that would not result in a direct threat or fundamental alteration) to ensure that the individual with a disability receives the services or benefits provided by Bayway.

9. Reasonable Modification Denials:

Any denials for reasonable modification by Bayway will be promptly communicated via written letter and/or e-mail to the individual requesting the modification including the reasons for the denial. All denials, including reasoning, will be documented for reporting purposes to the Federal Transit Administration (FTA) upon request.

10. Procedures Availability:

Bayway's Reasonable Modification Procedures are available on the Bayway website at [www.BaywayTransit.org](http://www.BaywayTransit.org) or by a request to Bayway.



### Reasonable Modification Request Form

The Department of Transportation has revised its rules under the Americans with Disabilities Act (ADA) and section 504 of the Rehabilitation Act of 1973. It now specifically provides that transportation agencies are required to make reasonable modifications to policies, practices and procedures to avoid discrimination and ensure that their programs are accessible to individuals with disabilities.

#### Section I:

Name:

Address:

Telephone (Home):

Telephone (Work):

Email Address:

Accessible Format Requirements:     Large Print     TDD     Audio Tape     Other

#### Section II:

Are you making this request on your own behalf?

Yes

No

*\*If you answered "yes" to this question, go to Section III.*

If not, please supply your name and relationship to the complainant (e.g., friend, attorney, parent, etc.):

Name:

Relationship:

Please explain why you have made a request for a third party:

Please confirm that you have obtained the permission of the third party if you are making this request on their behalf:

Yes

No

#### Section III:

What reasonable modification is being requested in order to use the services provided by Bayway:

Are you able to use the services offered by Bayway without this modification?

Yes

No

I hereby swear/affirm that the information that I have provided regarding this Reasonable Modification Request is true and correct to the best of my knowledge, information, and belief.

\_\_\_\_\_  
Signature or Representatives Signature:

\_\_\_\_\_  
Date: